

# MAINE STATE LEGISLATURE

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LAWS  
OF THE  
STATE OF MAINE  
AS PASSED BY THE  
One Hundred and Sixth Legislature  
1ST SPECIAL SESSION  
JANUARY 2, 1974 TO MARCH 29, 1974  
AND BY THE  
One Hundred and Seventh Legislature  
REGULAR SESSION  
JANUARY 1, 1975 TO JULY 2, 1975

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN  
ACCORDANCE WITH THE REVISED STATUTES OF 1964, TITLE 3,  
SECTION 164, SUBSECTION 6.

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THE KNOWLTON AND MCLEARY COMPANY  
FARMINGTON, MAINE  
1975

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PUBLIC LAWS  
OF THE  
STATE OF MAINE

AS PASSED BY THE  
One Hundred and Seventh Legislature

1975

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**CHAPTER 261****AN ACT to Assist Small Communities in the Development of Recreational Services.**

*Be it enacted by the People of the State of Maine, as follows:*

Sec. 1. 12 MRSA § 602, sub-§ 14, as last amended by PL 1973, c. 460, § 19, is further amended by adding at the end the following new paragraphs to read:

Additionally, the bureau may make grants to municipalities under 5,000 population for municipal recreation program development to include employment of personnel, public access transportation, selected equipment and supplies.

Municipalities may receive assistance for a maximum 3-year period on a sliding formula basis. Beginning with the first year, the formula shall be 70% state, 30% local; 2nd year, 50% state, 50% local and 3rd year, 25% state, 75% local.

Grants may be applied for yearly. Each individual total state grant shall not exceed \$1,000 in each year.

Sec. 2. Allocation. Twenty-five percent of the appropriation for fiscal years 1975 to 1977 to the Municipal Recreation Fund shall be set aside within that fund to be expended for the purposes of this Act.

Effective October 1, 1975

**CHAPTER 262****AN ACT to Increase the Penalties for Night Hunting.**

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the maintenance of a stable deer population is a matter of importance to the citizens of this State and to the State's recreational industry; and

Whereas, poaching of deer during the spring can lead to the death of pregnant does, which deaths in sufficient numbers can result in a significant decrease in the deer population; and

Whereas, the penalties provided in this bill will decrease the poaching of deer, and can thus prevent the death of many pregnant does and the decline of the deer population by poaching this spring, if these penalties become effective as soon as possible; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

*Be it enacted by the People of the State of Maine, as follows:*

12 MRSA § 2455, last sentence, as last amended by PL 1971, c. 622, § 44, is repealed and the following enacted in place thereof:

Any person convicted of a violation under this section shall be punished by a fine of not less than \$500 nor more than \$1,000 and by imprisonment of not less than 3 nor more than 5 days for the first offense, and by a fine of not less than \$500 nor more than \$1,000 and by imprisonment of not less than 10 nor more than 15 days for each succeeding offense. No punishment under this section shall be suspended. Any firearms seized in connection with a violation of this section shall be retained by the State pending disposition of criminal proceedings and sold at public auction by the State upon conviction.

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective May 12, 1975

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## CHAPTER 263

### AN ACT Relating to Subsidized Adoptions.

*Be it enacted by the People of the State of Maine, as follows:*

19 MRSA c. 10, is enacted to read:

#### CHAPTER 10

#### ADOPTION SUBSIDY ACT

##### § 541. Authorization

The Department of Health and Welfare is authorized to subsidize the adoption of children in its care or custody who are legally eligible for adoption and who are physically or mentally handicapped, emotionally disturbed or who by virtue of age or sibling relationship otherwise may not be adopted. The Department of Health and Welfare is authorized to use funds for this purpose which are appropriated for child welfare services.

The amount of the subsidy may vary depending upon the resources of the adoptive parents, the special needs of the child as well as the availability of other resources but may not exceed the cost of caring for the child if the child were to remain in the care or custody of the Department of Health and Welfare. The duration of the subsidy may continue until the cessation of legal parental responsibility.

##### § 542. Eligibility and terms

Foster parents interested in adopting an eligible child in their care and any other persons interested in adopting may apply for a subsidy. All applicants for adoption subsidy must meet agency standards for adoption with the exception of financial ability. The subsidy may be for special services only, for a limited period, for a long term or for a combination thereof. The type of adoption subsidy may vary depending on the special needs of the child.

##### § 543. Administration

A written agreement between the family entering into subsidized adoption and the Department of Health and Welfare must precede the final decree of