

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.

THE KNOWLTON AND MCLEARY COMPANY
FARMINGTON, MAINE
1975

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
One Hundred and Seventh Legislature

1975

Whereas, Judges of the District Court have been threatened in their courts and need the protection of bailiffs; 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:

4 MRSA § 173, sub-§ 4, as last amended by PL 1971, c. 622, § 5, is further amended by adding at the end 3 new paragraphs to read:

The sheriffs of the several counties shall designate and furnish deputy sheriffs to serve as bailiffs in each division of the District Court within their counties, if so requested by the Chief Judge.

Compensation for such service shall be paid for by the District Court out of its General Fund.

In those municipalities where a police officer has been furnished heretofore to serve as bailiff, the Chief Judge may continue to authorize the use of a police officer as a bailiff and the municipality shall be compensated therefor by the Maine District Court out of its General Fund. A person now appointed to serve as bailiff may also serve as court officer for a municipal police department, as provided in this subsection, but shall be compensated only for his services in one capacity.

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

Effective May 19, 1975

CHAPTER 293

AN ACT Redesignating the Department of Health and Welfare as the Department of Human Services and the Bureau of Human Services as the Bureau of Resource Development.

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

Sec. 1. 22 MRSA § 1, first sentence, as last repealed and replaced by PL 1973, c. 793, § 1, is amended to read:

The Department of ~~Health and Welfare~~ **Human Services**, as heretofore established and hereinafter in this Title called the "department" shall consist of such bureaus and divisions as may be required to carry out the work of the department.

Sec. 2. 22 MRSA § 1, 2nd ¶, first sentence, as last repealed and replaced by PL 1973, c. 793, § 1, is amended to read as follows:

The department shall be under the control and supervision of the Commissioner of ~~Health and Welfare~~ **Human Services**, hereinafter in this Title called

the "commissioner" who shall be appointed by the Governor with the advice and consent of the Council, for a term coterminous with the Governor, subject to removal for cause by the Governor and Council.

Sec. 3. 22 MRSA § 5308, first sentence, as enacted by PL 1973, c. 793, § 12, is amended to read:

There shall be within the Department of ~~Health and Welfare~~ **Human Services** the Bureau of ~~Human Services~~ **Resource Development**.

Sec. 4. Amendatory clause. Wherever in the Maine Revised Statutes the words "Department of Health and Welfare" appear, they shall mean the "Department of Human Services." Wherever in the Maine Revised Statutes the words "Commissioner of Health and Welfare" appear, they shall mean the "Commissioner of Human Services."

Sec. 5. Amendatory clause. Wherever in the Maine Revised Statutes the words "Bureau of Human Services" appear, they shall mean the "Bureau of Resource Development."

Sec. 6. Transitional provisions.

1. **Department of Human Services.** The Department of Human Services shall be the successor in every way to the powers, duties and functions of the former Department of Health and Welfare.

2. **Rules, regulations and procedures.** All existing rules, regulations and procedures in effect, in operation or promulgated in or by the Department of Health and Welfare or in or by any administrative units or officers thereof, are hereby declared in effect and shall continue in effect until rescinded, revised or amended by the proper authority.

3. **Contracts, agreements, compacts.** All existing contracts, agreements and compacts currently in effect in the Department of Health and Welfare shall continue in effect.

4. **Personnel.** Any position, authorized and allocated subject to the Personnel Law, to the former Department of Health and Welfare shall be transferred to the Department of Human Services and may continue to be authorized.

5. **Records, property and equipment.** All records, property and equipment previously belonging to or allocated for the use of the former Department of Health and Welfare shall become, on the effective date of this Act, part of the property of the Department of Human Services.

6. **Forms, licenses, letterheads.** All existing forms, licenses, letterheads and similar items bearing the name "Department of Health and Welfare" or which make reference thereto may be utilized by the Department of Human Services until existing supplies of such items are exhausted.

Sec. 7. Transitional provisions.

1. **Bureau of Resource Development.** The Bureau of Resource Develop-

ment shall be the successor in every way to the powers, duties and functions of the former Bureau of Human Services.

2. Rules, regulations and procedures. All existing rules, regulations and procedures in effect, in operation or promulgated in or by the Bureau of Human Services, or in or by any administrative units or officers thereof, are hereby declared in effect and shall continue in effect until rescinded, revised or amended by the proper authority.

3. Contracts, agreements, compacts. All existing contracts, agreements and compacts currently in effect in the Bureau of Human Services shall continue in effect.

4. Personnel. Any positions, authorized and allocated subject to the Personnel Law, to the former Bureau of Human Services shall be transferred to the Bureau of Resource Development and may continue to be authorized.

5. Records, property and equipment. All records, property and equipment previously belonging to or allocated for the use of the former Bureau of Human Services shall become, on the effective date of this Act, part of the property of the Bureau of Resource Development.

6. Forms, licenses, letterheads. All existing forms, licenses, letterheads and similar items bearing the name "Bureau of Human Services" or which make reference thereto may be utilized by the Bureau of Resource Development until existing supplies of such items are exhausted.

Effective October 1, 1975

CHAPTER 294

AN ACT Concerning the Fee for a First-time Real Estate Broker's License.

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

32 MRSA § 4110, 4th sentence, is amended to read:

Such fee shall entitle any applicant for a license to take the examination which is next given by the commission without additional charge should the applicant fail to pass the first examination and the fee for a broker's license shall be reduced by \$5 for each 6 months remaining on an applicant's unexpired salesman's license.

Effective October 1, 1975

CHAPTER 295

AN ACT Relating to Innkeepers, Victualers and Lodging Houses.

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

Sec. 1. 30 MRSA § 2701 is amended to read: