

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

§ 1274. Effect of disclaimer

Unless the decedent or donee of the power has otherwise provided, the property or interest disclaimed devolves as if the disclaimant had predeceased the decedent or, if the disclaimant is designated to take under a power of appointment exercised by a testamentary instrument, as if the disclaimant had predeceased the donee of the power. A future interest that takes effect in possession or enjoyment after the termination of the estate or interest disclaimed takes effect as if the disclaimant had predeceased the decedent or the donee of the power. A disclaimer relates back for all purposes to the date of the death of the decedent or the donee of the power.

§ 1275. Waiver and bar

1. Bar. The right to disclaim property or an interest therein is barred by an assignment, conveyance, encumbrance, pledge or transfer of the property or interest, or a contract therefor, a written waiver of the right to disclaim, an acceptance of the property or interest or benefit thereunder, or a sale of the property or interest under judicial sale made before the disclaimer is effected.

2. Spendthrift provisions. The right to disclaim exists notwithstanding any limitation on the interest of the disclaimant in the nature of a spendthrift provision or similar restriction.

3. Waiver. The disclaimer or the written waiver of the right to disclaim is binding upon the disclaimant or person waiving and all persons claiming through or under him.

§ 1276. Remedy not exclusive

This Act does not abridge the right of a person to waive, release, disclaim or renounce property or an interest therein under any other statute.

§ 1277. Application

An interest in property existing on the effective date of this Act as to which, if a present interest, the time for filing a disclaimer under this Act has not expired, or if a future interest, the interest has not become indefeasibly vested or the taker finally ascertained, may be disclaimed within 6 months after the effective date of this Act.

§ 1278. Uniformity of interpretation

This Act shall be applied and construed to effectuate its general purpose to make uniform the law with respect to the subject of this Act among states enacting it.

Effective October 1, 1975

CHAPTER 312

AN ACT Providing Compensation for Public Members of the Maine Municipal Bond Bank.

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

30 MRSA § 5164, 6th ¶, as enacted by PL 1971, c. 558, is repealed and the following enacted in place thereof:

Each public member of the board of commissioners shall receive \$50 per day for the time spent in the discharge or performance of his duties as a commissioner. Each commissioner shall be reimbursed for his reasonable expenses incurred in carrying out his duties under this Act. Notwithstanding any other law, no officer or employee of the State shall be deemed to have forfeited or shall forfeit his office or employment or any benefits or emoluments thereof by reason of his acceptance of the office of commissioner of the bank or his services therein.

Effective October 1, 1975

CHAPTER 313

AN ACT to Authorize the Governor and Executive Council to Approve or Disapprove Certain Claims Against the State.

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

5 MRSA § 1510 is enacted to read:

§ 1510. Approval or disapproval of certain claims against the State

1. Governor and Executive Council to consider claims of \$2,000 or less. Every claim against the State or any of its agents, which is not submitted under a specific statutory provision other than this section and which does not exceed the sum of \$2,000, shall be submitted to the Governor and Executive Council, which shall approve, partially approve or disapprove that claim.

2. Monthly meeting to consider claims. The Governor and Executive Council shall meet once monthly to consider claims submitted under this section.

3. Payment of claims. Any claim which has been partially or completely approved by the Governor and Executive Council shall be paid from funds allocated by the Governor, with the advice and consent of the Executive Council, from the State Contingent Account.

Effective October 1, 1975

CHAPTER 314

AN ACT Exempting Members of Maine's Indian Tribes from the Atlantic Salmon Fishing Stamp Fee.

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

12 MRSA § 2552, sub-§ 7, ¶ A, 1st sentence, as repealed and replaced by PL 1973, c. 297, § 1, is amended to read: