

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

mission shall file in the Superior Court a civil action seeking such relief as is appropriate, including temporary restraining orders.

Effective October 1, 1975

CHAPTER 359

AN ACT Relating to Definition of Retail Sale under Sales and Use Tax Law.

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

Whereas, tangible personal property which is consumed or destroyed or loses its identity in the manufacture of tangible property for later sale is exempt from the sales tax; and

Whereas, electricity used in the electrolytic manufacturing process and which loses its identity in the manufacture of tangible property is not exempt from the sales tax; and

Whereas, the imposition of the sales tax upon electricity used in the electrolytic process is discriminatory and burdensome to industry and the consumer; 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:

36 MRSA § 1752, sub-§ 11, 5th sentence, is amended to read:

“Retail sale” and “sale at retail” do not include the sale of tangible personal property which becomes an ingredient or component part of, or which is consumed or destroyed or loses its identity in the manufacture of, tangible personal property for later sale but shall include fuel and electricity but shall not include electricity separately metered and consumed in any electrolytic process for the manufacture of tangible personal property for later sale.

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

Effective May 27, 1975

CHAPTER 360

AN ACT Concerning Publication and Public Inspection of Executive Orders.

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

1 MRSA c. 13, sub-c. IV is enacted to read:

SUBCHAPTER IV EXECUTIVE ORDERS

§ 521. Executive orders

1. Available to public. The Governor shall maintain in his office a file containing a copy of every executive order issued by him or by previous governors, which is currently in effect. This file shall be open to public inspection at reasonable hours.

2. Dissemination. A copy of every executive order shall be filed with the Legislative Council, the Law and Legislative Reference Library and with every county law library in this State within one week after the Governor has issued that order.

Effective October 1, 1975

CHAPTER 361

AN ACT to Permit the Continuation of Mediation Services.

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

Sec. 1. 26 MRSA § 965, sub-§ 2, ¶ C, 4th sentence, as last repealed and replaced by PL 1973, c. 617, § 2, is repealed and the following enacted in place thereof:

The costs for services rendered and expenses incurred by members of the panel of mediators shall be paid by the State for those mediation cases not exceeding 3 days in length from an appropriation for said panel which shall be included in the budget of the Public Employees Labor Relations Board. Any costs for services rendered and expenses incurred by the panel of mediators beyond the 3rd mediation day per case shall be shared equally by the parties to the proceedings, except that on a showing by either party that such payment would impose undue financial hardship, the executive director may waive all or part of such obligation. Such amount waived shall be paid from the above-mentioned appropriation.

Sec. 2. 26 MRSA § 965, sub-§ 5, last sentence, as enacted by PL 1973, c. 458, § 8, is repealed and the following enacted in place thereof:

The services of the members of the State of Maine's Panel of Mediators, to a maximum of 3 mediation days per case and of the Maine Board of Arbitration and Conciliation are available to the parties without cost.

Effective October 1, 1975

CHAPTER 362

AN ACT to Permit Payment of Fines by Offers in Compromise From Beer and Wine Wholesale Licensees and Holders of Certificates of Approval in Lieu of Suspension.

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

28 MRSA § 401, sub-§ 6 is enacted to read:

6. Offer in compromise. Notwithstanding any other provisions of this Title, the Administrative Court Judge may accept from any beer or wine