

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

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Sec. 1. 26 MRSA § 965, sub-§ 2, ¶ C, 4th sentence, as last repealed and replaced by PL 1973, c. 617, § 2, is repealed and the following enacted in place thereof: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Sec. 2. 26 MRSA § 965, sub-§ 5, last sentence, as enacted by PL 1973, c. 458, § 8, is repealed and the following enacted in place thereof: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

wholesale licensee or holder of a certificate of approval under this Title an offer in compromise in lieu of suspension of any license or certificate of approval suspended by the Administrative Court Judge. A wholesale licensee or holder of a certificate of approval may petition the Administrative Court Judge to accept such an offer in compromise within 10 days following receipt of notice of such suspension. The fine in lieu of suspension, when an offer in compromise is accepted by the Administrative Court Judge, shall be calculated in accordance with the following formula: Fifty percent of the per diem gross profit multiplied by the number of license suspension days. Per diem gross profit shall be determined to be $\frac{1}{30}$ of the total gross receipts from the sale of alcoholic beverages during the 30 business days immediately preceding the date of receipt of the notice of such license suspension, less the invoiced cost of the alcoholic beverages which were sold by the wholesale licensee or holder of a certificate of approval during said period of 30 business days. No such fine, in any event, shall be less than \$75 for each day of license suspension. All such fines shall be paid to the Administrative Court within 5 days from the date of the acceptance of the offer in compromise. The Administrative Court Judge, in turn, shall pay said fines into the General Fund of the State Treasury. In the event that a wholesale licensee or holder of a certificate of approval fails to pay such fine in full within the time period allowed in this section, the suspension of license or certificate of approval shall commence on the following day. Any beer and wine wholesaler, who has been found to have violated the rules and regulations of the State Liquor Commission more than once in a one-year period, shall not be eligible for a fine in lieu of a license suspension. Such fine shall not exceed \$1,500 for any one offense.

Effective October 1, 1975

CHAPTER 363

AN ACT to Clarify the Jurisdiction of the Juvenile Court in Matters Arising under the Boating Laws.

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

15 MRSA § 2552, last ¶, as last amended by PL 1971, c. 544, § 51, is repealed and the following enacted in place thereof:

Juvenile courts shall have no jurisdiction over offenses in which any juvenile is charged with the violation of any provision of Title 29, and Title 12, chapters 304 and 308, or over any other traffic law or ordinance, if such offense is a misdemeanor except that juvenile courts shall have exclusive, original jurisdiction over offenses in which any juvenile is charged with a violation of Title 29, sections 900, 1312, 1315 and 1316 and Title 12, section 1978, subsection 2, or of Title 12, section 2073, subsection 2.

Effective October 1, 1975