

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

154, subsections 2, 3 and 4, and cause it to be recorded. Their clerk shall then make out a notice to each person, stating the amount of damages awarded to him and the elements of damage, which shall be served by an officer on those resident in the State and upon others, if any, by a publication 3 weeks successively in a newspaper printed in the county, if any; if not, in the state paper. The expense of notices shall be added to the costs of the proceedings and paid accordingly.

Sec. 16. 35 MRSA § 2484, 3rd sentence, is amended to read:

They shall on view make a just appraisalment in writing of the loss or damage, including the elements of damage as provided for land taken for highway purposes under Title 23, section 154, subsections 2, 3 and 4, if any, to the applicant, sign duplicates thereof, and on demand deliver one copy to the applicant and the other to the company or its agent.

Sec. 17. 35 MRSA § 3243, first sentence, is amended to read:

For all property taken by the exercise of the right of eminent domain the owners are entitled to damages as if the land were taken for highway purposes under Title 23, chapter 3. The damages are to be paid by the taker and estimated by the county commissioners, on written application of either party, made within 3 years after such taking; or, if proceedings thus commenced fail for causes not affecting the merits, new ones may be commenced within one year thereafter, and when no estimate is made within such time, the owner may maintain a civil action or have any remedy provided.

Effective October 1, 1975

CHAPTER 432

AN ACT Establishing the Termination Date of the Viet Nam War for Purposes of Certain Veteran's Benefits under State Laws.

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

Sec. 1. 5 MRSA § 674, sub-§ 1, ¶ D, as repealed and replaced by PL 1971, c. 561, is amended to read:

D. War, etc. "War, campaign or expedition" mean any of the following periods:

— April 6, 1917 through November 10, 1918

— December 7, 1941 through September 1, 1945

— June 27, 1950 through January 31, 1955

— August 5, 1964 to a termination date to be determined May 7, 1975.

Sec. 2. 30 MRSA § 4653, 3rd ¶ from the end, as amended by PL 1967, c. 67, § 4, is further amended to read:

As used in this section the term "veteran" shall mean a person who has served in the active military or naval service of the United States at any time on or after September 16, 1940 and prior to July 26, 1947, or at any time on or after April 6, 1917 and prior to November 11, 1918, or at any time on or after June 27, 1950 and prior to February 1, 1955, or at any time on or after August 5, 1964 ~~and the date on which hostilities are declared ended by the Congress or proclamation of the President~~ and before May 7, 1975, and who shall have been discharged or released therefrom under conditions other than dishonorable. The term "serviceman" shall mean a person in the active military or naval service of the United States who has served therein on or after September 16, 1940 and prior to July 26, 1947, or at any time on or after April 6, 1917 and prior to November 11, 1918, or at any time on or after June 27, 1950 and prior to February 1, 1955, or at any time between August 5, 1964 ~~and the date on which hostilities are declared ended by the Congress or proclamation of the President~~ and before May 7, 1975.

Sec. 3. 36 MRSA § 653, sub-§ 1, ¶ E, last 2 sentences, as enacted by PL 1967, c. 67, § 5, are repealed and the following enacted in place thereof:

A veteran of the Viet Nam War shall have served on active duty for a period of more than 180 days, any part of which occurred after August 4, 1964 and before May 7, 1975, except that if he died in service or was discharged for a service-connected disability after such date. The "Viet Nam War" shall mean that period between August 5, 1964 and May 7, 1975;

Sec. 4. 37-A MRSA § 28, sub-§ 3, last sentence, as enacted by PL 1971, c. 580, § 1, is amended to read:

A veteran of the Viet Nam War shall have served on active duty for a period of more than 180 days, any part of which occurred after August 4, 1964 and before May 7, 1975, except if he died in service or was discharged for a service-connected disability after such date.

Sec. 5. 37-A MRSA § 28, sub-§ 5, last sentence, as enacted by PL 1971, c. 580, § 1, is repealed and the following enacted in place thereof:

The term "Viet Nam War" shall mean that period between August 5, 1964 and May 7, 1975.

Sec. 6. 37-A MRSA § 45, sub-§ 10, 2nd sentence, as enacted by PL 1973, c. 600, § 1, is amended to read:

A veteran of the Viet Nam War shall have served on active duty for a period of more than 180 days, any part of which occurred after August 4, 1964 and before May 7, 1975, except if he was discharged for a service-connected disability after such date.

Effective October 1, 1975

CHAPTER 433

AN ACT Relating to the Rebate of Unearned Finance Charges under the Maine Consumer Credit Code.

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

Sec. 1. 9-A MRSA § 2-510, as enacted by PL 1973, c. 762, § 1, is repealed and the following enacted in place thereof: