

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

§ 306. Enforcement

The commission, a dam owner, or any littoral proprietor may commence an action to enjoin the violation of any provision of this chapter.

The violation of any order of the commission shall be punishable by a fine of not less than \$20 and not more than \$100. Each day of violation shall be considered a separate offense.

§ 307. Appeal

Any person aggrieved by an order of the commission may appeal to the Superior Court within 30 days of notice thereof.

§ 308. Miscellaneous

Nothing in this chapter shall be construed as relieving any person from duties, responsibilities or liabilities imposed by any other statute, regulation, municipal ordinance or any rule of law.

No action shall be brought against the State, the commission or its agents or employees for the recovery of damages caused by any order of the commission.

No provision of this Act shall be construed as limiting the powers of the Bureau of Civil Emergency Preparedness under Title 37-A, Sections 180 to 186.

Effective October 1, 1975

CHAPTER 543

AN ACT to Provide for the Detention of Shoplifters.

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

17 MRSA c. 114 is enacted to read:

CHAPTER 114

DENTENTION OF SHOPLIFTERS

§ 3521. Detention of shoplifters

A store owner, manager or supervisor may detain on the premises in a reasonable manner and for a period of time not to exceed ½ hour any person he has probable cause to believe is unlawfully concealing merchandise. The purposes of such detention shall be: To require the person being detained to identify himself; to verify such identification; to inform a law enforcement officer of the detention and to surrender such person to said officer; and when the detained person is a minor, to inform a law enforcement officer or the parents or guardian of said minor of the detention and to surrender him to the person so informed.

Any sheriff, deputy sheriff, municipal or state police officer, if he has probable cause to believe that a person has unlawfully concealed merchandise, may arrest such person without a warrant, whether or not such concealment was committed in his presence.

Effective October 1, 1975

CHAPTER 544

AN ACT Relating to Contracts of Teachers with Municipalities.

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

Sec. 1. 30 MRSA § 2251, sub-§ 2, as last amended by PL 1973, c. 785, § 3, is repealed and the following enacted in place thereof:

2. **Contracts.** A contract, other than a contract obtained through properly advertised bid procedures, made by a municipality, county or quasi-municipal corporation during the term of an official of a body of the municipality, county or quasi-municipal corporation involved in the negotiation or award of the contract who has a direct or an indirect pecuniary interest in it is voidable, except as provided in subsection 4.

Sec. 2. 30 MRSA § 2251, sub-§ 4, as last reenacted by PL 1973, c. 785, § 4, is amended by adding the following new paragraph at the end:

This subsection shall not prohibit a member of a city or town council or a member of a quasi-municipal corporation who is a teacher from making or renewing a teacher employment contract with the municipality or quasi-municipal corporation for which he serves.

Effective October 1, 1975

CHAPTER 545

AN ACT to Revise An Act Relating to Property Taxation which was Enacted by the 106th Legislature.

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

Sec. 1. 30 MRSA § 2060, sub-§ 5, ¶ E is enacted to read:

E. This subsection shall not apply in any municipality which is incorporated into a primary assessing area.

Sec. 2. 36 MRSA § 291, first ¶, as repealed and replaced by PL 1969, c. 502, § 3, is amended to read:

There is hereby established a Municipal Valuation Appeals Board to which a municipality may appeal from the equalized valuation determined by the State Tax Assessor Bureau of Taxation's determination of equalized valuation or minimum assessing standards when the municipality feels aggrieved by such valuation determination.