

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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

notice, has not claimed said vehicle and paid all reasonable costs and charges for its storage and repair or, if the identity or location of the owner of said vehicle has not been ascertained, the owner of such premises may cause to be published at least once in a newspaper of general circulation in the county where said premises are located a notice clearly describing said vehicle and stating that if the owner of said vehicle has not properly claimed it and paid all reasonable costs and charges for its storage and any repair work that may have been done on it within 30 days of the date of such published notice, title to that vehicle shall pass to the owner of the garage, auto body repair shop, service station or auto dealership where it is located.

2. Secretary of State to issue certificate. The Secretary of State, upon the presentation of sufficient evidence by any person to whom title to a motor vehicle has passed under subsection 1, shall issue to that person, upon payment of a fee of \$5, a certificate of title to that motor vehicle. The Secretary of State is authorized to make all rules and regulations necessary and convenient to assure the validity of claims submitted under this subsection.

3. Court determination. The holder of a certificate of title under subsection 2 may apply to the Superior Court for a determination that title to that vehicle properly rests in the holder of the certificate of title issued under subsection 2. A certificate of title issued under subsection 2 shall be prima facie evidence that title to the motor vehicle concerned rests in the person to whom the certificate was issued.

Effective October 1, 1975

CHAPTER 570

AN ACT to Aid Small Municipalities to Comply with Statutes Concerning the Protection and Improvement of Air.

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

38 MRSA § 606 is enacted to read:

§ 606. Municipal alternative

1. Cone burners. The provisions of this chapter shall not apply to cone burners constructed or operated by any municipality, group of municipalities, quasi-municipal corporations or district, providing a system of solid waste management for public purposes and for the health, welfare, comfort and convenience of the inhabitants of the district; provided that the population served does not exceed 25,000 people and that proper leachate control, ash sifting and ash disposal is accomplished in a legal manner and provided that the public health, safety and welfare are not adversely affected by the emissions of this type of unit. In determining the effect on public health, safety and welfare and before ordering the closing of any cone burner operation, the Department of Environmental Protection shall show that the operation of the burner violates the standards set forth in section 584-A.

2. Notification. Any municipality, group of municipalities, quasi-municipal corporations or district shall notify the Department of Environmental Protection of its intent to construct and operate a cone burner and may request technical assistance be provided by the department.

Effective October 1, 1975

CHAPTER 571

AN ACT Relating to the Disposition of Property in Joint Savings Accounts When the Owners Thereof are Husband and Wife and One of the Owners Dies.

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

Sec. 1. 9-B MRSA § 427, sub-§ 4, ¶ B, first sentence, as enacted by PL 1975, c. 500, § 1, is amended to read:

All such deposits or accounts, whenever opened or issued, payable to either or the survivor who are husband and wife, up to, but not exceeding an aggregate value of ~~\$10,000~~ \$20,000, and payable to either or 2 or more or the survivor of those persons who are parent and child, grandparent and grandchild, or brothers and sisters, up to, but not exceeding an aggregate value of \$5,000 including interest and dividends, in the name of the same persons in all financial institutions within this State shall, in the absence of fraud or undue influence, upon the death of any such persons, become the sole and absolute property of the survivor or survivors, even though the intention of all or any one of the parties be in whole or in part testamentary and though a technical joint tenancy be not in law or fact created.

Sec. 2. Effective date. This Act shall become effective on January 1, 1976.

Effective January 1, 1976

CHAPTER 572

AN ACT Relating to Improved Property Tax Administration.

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

Sec. 1. 36 MRSA c. 711-A is enacted to read:

CHAPTER 711-A

REAL ESTATE TRANSFERS

§ 464I. Definitions

As used in this chapter, unless the context otherwise indicates, the following words shall have the following meanings: