

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

they were being carried out or whether the action was willfully undertaken to avoid the intent of this subchapter or without knowledge of this subchapter undertaken. Any such filling, dredging, draining, depositing, altering or removal of materials shall be prima facie evidence that it was done or caused to be done by the owner of such coastal wetlands.

§ 476. Enforcement

Inland fish and game wardens, coastal wardens and all other law enforcement officers enumerated in Title 12, section 2003 shall enforce this subchapter.

§ 477. Injunction; restoration

In the event of the violation of this subchapter, the Attorney General may institute proceedings to enjoin further violations and to compel restoration of the affected area to its condition prior to the occurrence of the violation.

§ 478. Exemptions

The Board of Environmental Protection may by rule or regulation exempt from this subchapter certain activities including, but not limited to, repairs and maintenance of existing structures or waive such procedural requirements as it deems not inconsistent with the purposes of this subchapter. Nothing in this subchapter shall prohibit the minor repair of existing permanent structures which would require less than a total of one cubic yard of material to be filled, deposited, dredged, moved or removed in any coastal wetland or normal maintenance or repair of presently existing ways, roads or railroad beds nor maintenance and repair of installations and facilities of any utility as defined in Title 23, section 255, abutting or crossing said coastal wetlands, provided no watercourse is substantially altered.

Effective October 1, 1975

CHAPTER 596

AN ACT Relating to Purchases of Spirituous, Vinous and Malt Beverages by Licensees for Resale.

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

Whereas, public law 1975, chapter 586, enacted by the 107th Legislature, was intended to restrict licensees from receiving the discount prices currently available at the Kittery State Liquor Store; and

Whereas, this measure was intended to result in an increase in revenues to the State; and

Whereas, recent abnormally large purchases of liquor by licensees at the Kittery State Liquor Store indicate an intent by licensees to avoid where possible the effects of chapter 586 and represent a threat to the financial soundness of the current biennial state budget; and

Whereas, immediate legislative action is therefore necessary to prevent this avoidance and to protect the state's finances; 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:

Sec. 1. 28 MRSA § 451, first ¶, last sentence, as enacted by PL 1971, c. 268, § 2, is amended to read:

Notwithstanding the other provisions of this section, the commission, with the approval of the Commissioner of Finance and Administration, may reduce the price of liquor in one store and establish at that store the price to which the 10% discount in section 204 shall be applicable. Notwithstanding the provisions of section 204, no person, partnership or corporation shall purchase liquor from this established store for resale.

Sec. 2. PL 1975, c. 586, is repealed.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when signed by the Governor, except for section 2 which shall become effective 91 days after adjournment of the Legislature.

Effective June 27, 1975. unless otherwise indicated

CHAPTER 597

AN ACT to Guarantee to all State Employees the Right to Participate in the Nonpartisan Affairs of Municipalities.

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

5 MRSA § 14 is enacted to read:

§ 14. Participation in nonpartisan affairs

No officer or employee of this State shall directly or indirectly interfere with the participation of any employee of this State in the nonpartisan affairs of any municipality or other political subdivision of this State provided that no conflict of interest results.

For the purpose of this section, a "conflict of interest" shall mean a situation in which an employee's participation in the affairs of a municipality results in financial gain to him or members of his family other than any regular compensation paid to him as an officer of that municipality.

Any officer or employee of the classified service of this State may make contributions to a political party, organization or candidate but shall not solicit any assessment, subscription or contribution from any person for any political purpose in connection with any election for federal, state or county office.