

# 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.

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THE KNOWLTON AND MCLEARY COMPANY  
FARMINGTON, MAINE  
1975

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PUBLIC LAWS  
OF THE  
STATE OF MAINE

AS PASSED BY THE  
One Hundred and Seventh Legislature

1975

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5. If after the issuance of an order by the board requiring any party to cease and desist or to take any other affirmative action, said party fails to comply with the order of the board, then the party in whose favor the order operates or the board may file a civil action in the Superior Court in Kennebec County, to compel compliance with the order of the board. In such action to compel compliance, the Superior Court shall not review the action of the board other than to determine questions of law. If an action to review the decision of the board is pending at the time of the commencement of an action for enforcement pursuant to this subsection or is thereafter filed, the 2 actions shall be consolidated.

Sec. 5. 26 MRSA § 979-J, sub-§ 1, as enacted by PL 1973, c. 774, is amended to read:

1. The board shall annually, on or before the first day of July, make a report to the Governor and Council. The appropriation for the board and the executive director shall be included in the budget of the ~~Bureau of Labor and Industry~~ Department of Manpower Affairs and authorization for expenditures shall be the responsibility of the executive director. The board shall prepare a biennial budget for submission to the Legislature for appropriations sufficient to carry out its duties. Authorization for expenditures shall be the responsibility of the board. All expenses of the board and its staff, including all necessary travelling and subsistence expenses, shall be paid on presentation of itemized vouchers therefor approved by the board or the executive director.

Sec. 6. Appropriation. There is appropriated from the General Fund to the Public Employees Labor Relations Board the sum of \$40,400 to carry out the duties imposed under the law. The breakdown shall be as follows:

1975-76                      1976-77

PUBLIC EMPLOYEES LABOR RELATIONS BOARD

Personal Services	(1) \$13,000	(1) \$13,700
All Other	8,000	5,000
Capital Expenditures	700	—
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	\$21,700	\$18,700

Effective October 1, 1975

CHAPTER 613

AN ACT Relating to Additional Roads on Indian Reservation at Indian Island.

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

Whereas, the roads to be constructed pursuant to this Act will enable the Indian Island Penobscot Reservation Housing Authority to begin construction of the sewerage treatment plant, neighborhood facilities and units of housing as soon as possible; 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.** 23 MRSA § 1051, 3rd sentence, as enacted by PL 1973, c. 277, § 1, is amended to read:

Additional roads and streets at Indian Island, Pleasant Point and Indian Township proposed by the Penobscot Tribal Reservation Housing Authority, the Pleasant Point and Indian Township Passamaquoddy Reservation Housing Authorities shall be a part of the state highway system if there is a dedication of sufficient land by appropriate authority.

**Sec. 2. Appropriation.** There is allocated from the General Highway Fund to the Department of Transportation, Bureau of Highways, the sum of \$60,000 for the construction of state highways in the Indian Reservation of Indian Island. Any balance on June 30, 1976, shall carry forward until the purpose for which the appropriation is made shall be accomplished.

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective July 1, 1975

## CHAPTER 614

### AN ACT to Change Provisions of the Law Relating to the Board of Environmental Protection.

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

**Sec. 1.** 38 MRSA § 361, 1st 2 ¶¶, as last amended by PL 1971, c. 618, § 9, are further amended to read:

The Board of Environmental Protection, as heretofore established and hereinafter in this subchapter called the "board," shall consist of 10 members appointed by the Governor with the advice and consent of the Council, ~~2 of whom shall represent manufacturing interests of the State, 2 of whom shall be representatives of municipalities, 2 of whom shall represent the public generally, 2 of whom shall represent the conservation interests in the State and 2 other members knowledgeable in matters relating to air pollution~~ and the Commissioner of Environmental Protection ex officio. Members of the board shall be chosen to represent the broadest possible interest and experience which can be brought to bear in the implementation of this Title and all other laws which the board is charged with the duty of administering. The members shall be appointed for a term of 3 years and until their successors are appointed and duly qualified.

The members appointed by the Governor shall receive ~~\$25~~ \$40 per day for their services at meetings or hearings and all members shall receive necessary traveling expenses for attending any meetings of the board or for any other