

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

One Hundred and Seventh Legislature

AT THE

1ST SPECIAL SESSION

JANUARY 19, 1976 TO APRIL 29, 1976

AND

2ND SPECIAL SESSION

JUNE 14, 1976

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 164, SUBSECTION 6.

PORTLAND LITHOGRAPH COMPANY
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PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
One Hundred and Seventh Legislature
AT THE FIRST SPECIAL SESSION
January 19, 1976 to April 29, 1976
AND THE SECOND SPECIAL SESSION
June 14, 1976

Supplementary to the Acts and Resolves of the Regular Session

[supplied from page 3097 of volume]

CHAPTER 644

AN ACT to Clarify the Statutory Authority of the Board of Pesticide Control.

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

Sec. 1. 22 MRSA § 1471-C, sub-§ 4, as enacted by PL 1975, c. 397, § 2, is amended to read:

4. **Certified applicator.** "Certified applicator" means any ~~individual~~ person who is certified pursuant to section 1471-D and authorized to use or supervise the use of any pesticides.

Sec. 2. 22 MRSA § 1471-C, sub-§ 5, as enacted by PL 1975, c. 397, § 2, is amended to read:

5. **Commercial applicator.** "Commercial applicator" means ~~a certified applicator~~ any person, whether or not the ~~applicator~~ person is a private applicator with respect to some uses, who uses or supervises the use of any pesticide for any purpose or on any property other than as provided by subsection 22.

Sec. 3. 22 MRSA § 1471-C, sub-§ 22, as enacted by PL 1975, c. 397, § 2, is amended to read:

22. **Private applicator.** "Private applicator" means ~~an individual~~ any person who uses or supervises the use of any pesticide which is classified for restricted or limited use for purposes of producing any agricultural commodity on property owned or rented by him or his employer or, if applied without compensation other than trading of personal services between producers of agricultural commodities, on the property of another person.

Sec. 4. **Effective date.** Sections 1, 2 and 3 of this Act shall take effect January 2, 1977.

Sec. 5. PL 1975, c. 397, § 3 is amended to read:

Sec. 3. **Effective date.** This Act shall become effective on ~~October 1,~~ ~~1976~~ January 1, 1977, except for Title 22, section 1471-M, which shall take effect 90 days after the adjournment of the Legislature.

Effective July 29, 1976

CHAPTER 645

AN ACT Concerning the County Commissioner Districts in
Penobscot, Kennebec, Lincoln, Franklin and Knox Counties.

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

Whereas, chapters 145, 226, 333, 334 and 405 of the public laws of 1975 establish commissioner districts for Penobscot, Kennebec, Lincoln, Franklin and Knox Counties; and

Whereas, chapter 332 of the public laws of 1975 provides for 4-year terms for county commissioners instead of 6-year terms and thus invalidates the present transition provisions of these chapters; and

Whereas, the present Act amends the transition provisions of these chapters in order to conform to the 4-year statutory terms for county commissioners; and

Whereas, the present Act will affect the election of county commissioners in 1976 and will therefore affect the nomination process for candidates for county commissioner which begins during the spring of 1976; and

Whereas, it is imperative that this Act become effective as soon as possible in order to avoid needless confusion and interference with this nomination process; 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. 30 MRSA § 105-S, as enacted by PL 1975, c. 333, § 1, is amended by adding at the end the following new paragraph:

Members of the board of commissioners shall be residents of the commissioner district for which they are elected and shall be elected by the qualified voters of that district.

Sec. 2. 30 MRSA § 105-T, 3rd and 4th ¶¶, as enacted by PL 1975, c. 405, § 1, are amended to read:

Commissioner District number 2, consisting of the municipalities of Cushing, Friendship, Isle Au Haut, Matinicus Plantation, Warren, St. George, South Thomaston, Thomaston ~~and~~, Vinalhaven and **North Haven**;

Commissioner District number 3, consisting of the municipalities of Appleton, Camden, Hope, Union, Rockport and Washington ~~and North Haven~~.

Sec. 3. PL 1975, c. 145, § 2 is repealed and the following enacted in place thereof:

Sec. 2. Transition. The transition of the Penobscot County district system shall be made in the following manner: In 1976 a commissioner resident

in Commissioner District number 2 shall be elected by the qualified electors of that district. In 1978 a commissioner resident in Commissioner District number 3 shall be elected by the qualified electors of that district. In 1980 a commissioner resident in Commissioner District number 1 shall be elected by the qualified electors of that district and a commissioner resident in Commissioner District 2 shall also be elected by the qualified electors of that district. Thereafter, elections shall continue in a manner so that each district shall at all times have a commissioner elected from that district on the board.

Sec. 4. PL 1975, c. 226, § 2, 3rd sentence is amended to read:

In 1980 a commissioner from district 3 shall be elected by the qualified voters of that district and a commissioner from district 1 shall also be elected by the qualified voters of that district.

Sec. 5. PL 1975, c. 333, § 2, first 3 sentences are amended to read:

The transition to election of county commissioner by district in Lincoln County shall be made in the following manner: In 1976, the county commissioner shall be elected from District 1 for a term of 6 years. In 1978, the county commissioner shall be elected from District 2 for a term of 6 years. In 1980, the county commissioner shall be elected from District 3 for a term of 6 years and from District 1.

Sec. 6. PL 1975, c. 334, § 2, next to last sentence is amended to read:

In 1980 a commissioner shall be elected from district number 1 by the qualified electors of that district and a commissioner shall also be elected from district number 2 by the qualified voters of that district.

Sec. 7. PL 1975, c. 405, § 2 is repealed and the following enacted in place thereof:

Sec. 2. Transition. The transition to the Knox County district system shall be made in the following manner: In 1976, a commissioner shall be elected by the qualified voters of the district to represent district 2. In 1978, a commissioner shall be elected by the qualified voters of the district to represent district 1. In 1980, a commissioner shall be elected by the qualified voters of district 3 to represent district 3 and a commissioner shall also be elected by the qualified voters of district 2 to represent district 2. Thereafter, elections shall continue in a manner so that each district shall at all times be represented on the board of commissioners.

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

Effective February 20, 1976

CHAPTER 646

AN ACT Concerning the Purchase of Liquor.