

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.

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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]

Whoever, while on a hunting trip or in the pursuit of wild animals or game birds or migratory game birds, negligently or carelessly or willfully shoots and wounds, or kills any domestic animals, including dogs, cats or domestic birds shall be punished by a fine of not less than \$200 nor more than \$1,000, or by imprisonment for not more than 90 days, or by both.

Sec. 23. 12 MRSA § 3060, sub-§ 2, as amended by PL 1971, c. 85, § 30, is amended to read:

2. Violation of § 2451. Whoever violates any of the provisions of the ~~first 2~~ first, 2nd or 5th paragraphs of section 2451 shall be punished by a fine of not less than \$200 nor more than \$1,000 and costs, or by imprisonment for not more than 90 days, or by both.

Sec. 24. Amendatory clause. Any reference in this Act to the Executive Council shall be deleted from this Act as of January 4, 1977.

Effective July 29, 1976

CHAPTER 773

AN ACT to Exempt Community Based Retardation Services from the Sales Tax.

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

36 MRSA § 1760, sub-§ 28, as enacted by PL 1967, c. 46, is repealed and the following enacted in place thereof:

28. Community mental health facilities and community mental retardation facilities. Sales to mental health facilities and mental retardation facilities which receive support under the Federal Community Mental Health Centers Act, as amended, or its successors, or from the Department of Mental Health and Corrections pursuant to Title 34, chapters 183 or 184-C.

Effective July 29, 1976

CHAPTER 774

AN ACT Relating to Voting Places in Certain Unorganized Townships.

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

Sec. 1. 21 MRSA § 1573 is repealed and the following enacted in place thereof:

§ 1573. Separate voting places; reimbursement of election expense

1. Voting places in unorganized townships. The procedure for establishing a voting place in the following unorganized townships is as follows.

A. Connor. The municipal officers of Caswell Plantation are directed to establish a voting place at Connor, an unorganized township in the County of Aroostook, for all state and national elections, including primary elections, at which voting place all residents of unorganized places entitled to vote in Caswell Plantation may cast their ballots under the conditions provided in this section. The municipal officers shall prepare a separate list of such voters, resident in unorganized places who are entitled to vote in Caswell Plantation, as may request the privilege of voting at Connor at the time they qualify as voters in Caswell Plantation under section 246, and all persons whose names are so included in that list shall be entitled to vote at that voting place in Connor instead of at Caswell Plantation.

Municipal officers of Caswell Plantation shall select 4 ballot clerks from the inhabitants of Connor, representing the 2 political parties which at the gubernatorial election next preceding such appointment cast the greatest number of votes and shall select a warden who shall be a resident of Caswell Plantation.

The conduct of elections at that voting place shall be the same as in towns having separate voting districts and all the provisions of the Revised Statutes with respect to separate voting districts in towns are made applicable to that voting place at Connor as though the same were located within the territorial limits of Caswell Plantation. The powers and duties of municipal officers in such case are conferred upon the municipal officers of Caswell Plantation.

B. Kingman. The municipal officers of Prentiss Plantation are directed to establish a voting place at Kingman, an unorganized township in the County of Penobscot, for all state and national elections, including primary elections, at which voting place all residents of unorganized places entitled to vote in Prentiss Plantation may cast their ballots under the conditions provided in this section. The municipal officers shall prepare a separate list of such voters, resident in unorganized places who are entitled to vote in Prentiss Plantation, as may request the privilege of voting at Kingman at the time they qualify as voters in Prentiss Plantation under section 246, and all persons whose names are so included in that list shall be entitled to vote at that voting place in Kingman instead of at Prentiss Plantation.

Municipal officers of Prentiss Plantation shall select 4 ballot clerks from the inhabitants of Kingman, representing the 2 political parties which at the gubernatorial election next preceding such appointment cast the greatest number of votes and shall select a warden who shall be a resident of Prentiss Plantation.

The conduct of elections at that voting place shall be the same as in towns having separate voting districts and all the provisions of the Revised Statutes with respect to separate voting districts in towns are made applicable to that voting place at Kingman as though the same were located within the territorial limits of Prentiss Plantation. The powers and duties of the municipal officers in such case are conferred upon the municipal officers of Prentiss Plantation.

C. Rockwood Strip. The municipal officers of the Town of Jackman are directed to establish a voting place at Rockwood Strip, an unorganized township located in the northern portion of Townships 1 and 2, Range 1, N.B.K.P. in Somerset County, for all state and national elections, including primary elections, at which voting place all residents of unorganized places entitled to vote in the Town of Jackman may cast their ballots under the conditions provided in this section. The municipal officers shall prepare a separate list of such voters, resident in unorganized places who are entitled to vote in the Town of Jackman, as may request the privilege of voting at Rockwood Strip at the time they qualify as voters in the Town of Jackman under section 246, and all persons whose names are so included in that list shall be entitled to vote at that voting place in Rockwood Strip instead of at the Town of Jackman.

Municipal officers of the Town of Jackman shall select 4 ballot clerks from the inhabitants of Rockwood Strip, representing the 2 political parties which at the gubernatorial election next preceding such appointment cast the greatest number of votes and shall select a warden who shall be a resident of the Town of Jackman.

The conduct of elections at that voting place shall be the same as in towns having separate voting districts and all the provisions of the Revised Statutes with respect to separate voting districts in towns are made applicable to that voting place at Rockwood Strip as though the same were located within the territorial limits of the Town of Jackman. The powers and duties of the municipal officers in such case are conferred upon the municipal officers of the Town of Jackman.

D. Sinclair, T17, R4. The municipal officers of the Town of Saint Agatha are directed to establish a voting place at Sinclair, T17, R4, an unorganized township in the County of Aroostook, for all state and national elections, including primary elections, at which voting place all residents of unorganized places entitled to vote in the Town of Saint Agatha may cast their ballots under the conditions provided in this section. The municipal officers shall prepare a separate list of such voters, resident in unorganized places who are entitled to vote in the Town of Saint Agatha, as may request the privilege of voting at Sinclair, T17, R4 at the time they qualify as voters in the Town of Saint Agatha under section 246, and all persons whose names are so included in that list shall be entitled to vote at that voting place in Sinclair, T17, R4 instead of at the Town of Saint Agatha.

Municipal officers of the Town of Saint Agatha shall select 4 ballot clerks from the inhabitants of Sinclair, T17, R4, representing the 2 political parties which at the gubernatorial election next preceding such appointment cast the greatest number of votes and shall select a warden who shall be a resident of the Town of Saint Agatha.

The conduct of elections at that voting place shall be the same as in towns having separate voting districts and all the provisions of the Revised Statutes with respect to separate voting districts in towns are made applicable to that voting place at Sinclair, T17, R4, as though the same were located within the territorial limits of the Town of Saint Agatha. The powers and duties of the municipal officers in such case are conferred upon the municipal officers of the Town of Saint Agatha.

2. Reimbursement of election expense. The Secretary of State shall reimburse the municipal officers of each township for those expenses incurred in the conduct of elections held pursuant to this section.

Sec. 2. 21 MRSA § 1573-A, as enacted by PL 1965, c. 12, § 1, is repealed.

Sec. 3. 21 MRSA § 1573-B, as enacted by PL 1971, c. 622, § 69-A and as amended by PL 1973, c. 625, § 115, is repealed.

Sec. 4. 21 MRSA § 1573-C, as enacted by PL 1975, c. 605, § 1, is repealed.

Sec. 5. Appropriation. There is appropriated from the General Fund to the Secretary of State the sum of \$1,600 to carry out the purposes of this Act. The breakdown shall be as follows:

1976-77

SECRETARY OF STATE, DEPARTMENT OF

All Other \$1,600

Effective July 29, 1976

CHAPTER 775

AN ACT To Clarify Various Statutes Relating to Superior Court Fees and Costs.

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

Whereas, by chapter 383, enacted by the regular session of the 107th Legislature, the Legislature transferred funding of the Superior Court from the counties to the State, beginning July 1, 1976; and

Whereas, there are certain inconsistencies in the statutes governing the fees and funding of the Superior Court, which must be resolved as soon as possible in order to avoid needless confusion in the administration of the Superior Court upon the funding transfer and thus avoid needless confusion in the administration of justice; 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: