

# MAINE STATE LEGISLATURE

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LAWS  
OF THE  
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE

FIRST REGULAR SESSION

January 5, 1977 to July 25, 1977

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

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PORTLAND LITHOGRAPH COMPANY  
PORTLAND, MAINE  
1977

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PUBLIC LAWS  
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**STATE OF MAINE**  
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19 MRSA § 92 is amended to read:

§ 92. Filing of cautions

Any person, believing that parties are about to contract marriage when either of them cannot lawfully do so, may file a caution and the reasons therefor in the office of the clerk where notice of their intentions should be filed. Then, if either party applies to enter such notice, the clerk shall withhold the certificate until a decision is made by ~~a justice of the peace~~ **the probate court judge from the district involved**, approving the marriage, after due notice to and hearing all concerned, provided the person filing the caution shall within 7 days thereafter procure the decision of such ~~justice~~ **probate court judge** unless ~~they certify~~ **he certifies** that further time is necessary for the purpose. In such case a certificate shall be withheld until the expiration of the certified time. He shall, finally, deliver or withhold the certificate in accordance with the final decision of said ~~justice~~ **judge**. If the decision is against the sufficiency, the ~~justice~~ **judge** shall enter judgment against the applicant for costs, and issue execution therefor.

Effective October 24, 1977

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## CHAPTER 15

### AN ACT Relating to Expiration Date of Dance Licenses.

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

8 MRSA § 161, 4th ¶, 2nd sentence, as repealed and replaced by PL 1967, c. 265, is amended to read:

All dancing licenses issued shall expire ~~December 31st of each year~~ **one year from date of issue unless sooner revoked.**

Effective October 24, 1977

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## CHAPTER 16

### AN ACT to Amend the Laws Relating to Adoption Proceedings.

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

19 MRSA § 533, 1st ¶, last sentence is amended to read:

The court may require that the child shall have lived for one year in the home of the petitioners before the petition is granted, and may require that the child, during all or part of said probationary period, shall be under the supervision of the ~~Bureau of Social Welfare~~ Department of Human Services or a licensed child placing agency.

Effective October 24, 1977

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## CHAPTER 17

AN ACT to Allow the Taking of Suckers with Bow and Arrow.

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

12 MRSA § 2701, 2nd ¶, as last amended by PL 1967, c. 52, is further amended to read:

It shall be lawful to take suckers in all rivers, brooks and streams which are open to fishing between April 1st and June 30th of each calendar year by the use of a hand spear or bow and arrow by persons licensed or otherwise entitled to fish in Maine waters. If by bow and arrow, the arrow must have a barbed or prong point and must be attached to the bow with a line.

Effective October 24, 1977

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## CHAPTER 18

AN ACT Requiring Public Utilities Commission Regulated Motor Carriers to File a Designated Agent for Service of Process and Court Appearances.

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

Sec. 1. 29 MRSA § 1656, 3rd, 4th & 5th ¶¶'s, as last amended by PL 1971, c. 43, are repealed.

Sec. 2. 35 MRSA § 1565 is enacted to read:

§ 1565. Agents for service of process

Each carrier holding a permit or certificate from the commission under chapter 93 shall file with the commission, in writing, an appointment of a resident of this State to be its true and lawful agent, representative or attorney upon whom all lawful processes may be served, and who may be required to appear in court on behalf of the carrier with the same legal force and validity as if the carrier were itself in court. The written assent of the resident agent, representative or attorney shall be filed with the commission.