

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

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PUBLIC LAWS
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CHAPTER 172

AN ACT to Provide for Rules and Regulations to be adopted by the
Real Estate Commission.

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

32 MRSA § 4051-B is enacted to read:

§ 4051-B. Rules and regulations

The commission shall make reasonable rules and regulations, not inconsistent with law, to govern the following:

1. Procedures in proceedings. Procedures in proceedings before the commission including all hearings and the filing and processing of complaints subject to the requirements of Title 5, chapter 303;

2. Practices. Practices of real estate brokers and salesmen consistent with standards set forth in this chapter; and

3. Qualifications. Qualifications and procedures for the approval and operation of real estate schools.

The commission may also make such other reasonable rules and regulations as shall be necessary for the performance of its duties under this chapter.

The proposed rules and regulations shall be printed in a newsletter sent to all licensees together with notice of the date, time and place for the hearing on the rules and regulations. In addition, public notice of the hearing, to receive comments on the proposed rules and regulations, shall be made in the state newspaper and one other newspaper with statewide circulation twice, at least 10 days prior to the hearing.

Effective October 24, 1977

CHAPTER 173

AN ACT to Clarify the Marking of Ballots.

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

Sec. 1. 21 MRSA § 922, sub-§ 1, as amended by PL 1973, c. 414, § 40, is amended to read:

1. Individual square method. He shall ~~make a cross or a check~~ place the

mark in the square at the left and close to each nominee for whom he wishes to vote, regardless of political designation, but must follow directions as to the number of nominees to be elected to each office.

Sec. 2. 21 MRSA § 925, sub-§ 2, ¶ E, is enacted to read:

E. Fictitious or other names. If a voter writes in a write-in square a fictitious name, the name of a deceased person, or the name of a well-known person from outside the State who could not be a candidate for office, the vote for that office shall not be counted. A name written in in such a manner shall not be considered a distinguishing mark.

Sec. 3. 21 MRSA § 925, sub-§ 3, ¶ B, is repealed.

Sec. 4. 21 MRSA § 925, sub-§ 4 is enacted to read:

4. Determination of choice possible. If a voter marks his ballot in a manner which differs from the instructions at the top of the ballot but in such a manner that it is possible to determine the voter's choice, then the vote for the office or question concerned shall be counted. A mark made on or in the square which differs from the instructions at the top of the ballot but which clearly indicates the voter's choice shall not be considered a distinguishing mark.

A. Exceptions. When a voter has clearly manifested an intention to make a distinguishing mark, or to mark his ballot in a manner inconsistent with an honest purpose or to act in a fraudulent manner, then the ballot is void.

Effective October 24, 1977

CHAPTER 174

AN ACT to Provide Reimbursement for Snow Removal on Accepted Ways.

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

Sec. 1. 23 MRSA § 1005, sub-§ 1, ¶¶ A-D, as last amended by PL 1975, c. 620, § 2, are repealed and the following enacted in their places:

A. If the state valuation exceeds \$6,250,000, reimbursements shall be made to the extent of \$100 per mile in accordance with approved certification of costs.

B. If the state valuation is \$3,750,000 or less, such municipalities shall bear the first \$70 of cost per mile, and reimbursements shall be made to said municipalities in accordance with approved certification of costs; except that such reimbursement shall not exceed \$400 per mile.

C. If the state valuation is more than \$3,750,000 but does not exceed