

# 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  
OF THE  
**STATE OF MAINE**

AS PASSED AT THE  
**FIRST REGULAR SESSION**

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ONE HUNDRED AND EIGHTH LEGISLATURE

1977

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F. Veterinarians only may destroy dogs and cats following terminal operations by the use of an overdose of ether or other anesthetic gasses.

3. By shooting. By shooting, provided that:

A. The animal is restrained in a humane manner ;

B. A weapon and ammunition of suitable caliber and other characteristics to produce instantaneous death by a single shot ; and

C. Maximum precaution is taken to protect employees and other animals.

§ 1229. Tranquilizing cats and dogs

Prior to the euthanasia of cats and dogs, sedatives may be administered to these animals. Curariform immobilizers shall not be used to sedate cats and dogs prior to euthanasia.

§ 1230. Inspection

The Commissioner of Agriculture or his designee may inspect or investigate any facility in which cats and dogs are destroyed.

§ 1231. Penalty for violation

Any person, firm or corporation found in violation of this subchapter shall be guilty of a Class E crime.

Effective October 24, 1977

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## CHAPTER 446

**AN ACT to Provide Exemptions from Licensure for Certain Insurance Agents and Officers of Benefit Societies and Amend the Procedure for Licensing.**

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

Sec. 1. 24-A MRSA § 4128, as enacted by PL 1969, c. 132, § 1 and as amended by PL 1973, c. 585, & 12, is repealed and the following enacted in its place:

§ 4128. Licensing of agents

Agents of societies shall be licensed in accordance with chapter 17 provided the examination requirements of chapter 17 shall not be applicable to any agent who was in the service of a society on January 1, 1978, and provided that no insurance agent's license shall be required of the following:

1. Officer devoting substantial time to activities other than solicitation or negotiation of insurance contracts. Any officer, employee or secretary of any such society or of any subordinate lodge or branch thereof who devotes substantially all of his time to activities other than the solicitation or negotiation of insurance contracts and who receives no commission or other compensation directly dependent upon the number or amount of contracts solicited or negotiated;

2. Agent devoting less than 50% of time to solicitation and procurement of insurance contracts. Any agent or representative of a society who devotes less than 50% of his time to the solicitation and procurement of insurance contracts for such society. Any person, who in the preceding calendar year has solicited and procured life insurance in excess of \$200,000, face amount, or, in the case of any other kind or kinds of insurance which the society may write, on the persons of more than 25 individuals and who has received or will receive a commission or other compensation therefor, shall be presumed to be devoting 50% of his time to the solicitation or procurement of insurance contracts for such society; or

3. Persons who do not effect insurance. Any member of a society who does not effect insurance and whose solicitation or negotiation is incidental to securing new members for his society and whose only remuneration consists of prizes in the form of merchandise or payments of a nominal amount.

Sec. 2. Effective date. This Act shall become effective on January 1, 1978.

Effective January 1, 1978

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## CHAPTER 447

### AN ACT Relating to the Plans and Specifications Governing School Construction.

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

Sec. 1. 20 MRSA c. 502-A is enacted to read:

#### CHAPTER 502-A

#### PLANS AND SPECIFICATIONS FOR SCHOOL CONSTRUCTION

##### § 3481. Inspection of facility; compliance

If it appears to the Commissioner of Educational and Cultural Services that an administrative unit has failed to maintain a school facility which protects the health, welfare and safety of the persons utilizing the facility, he may cause an inspection to be made and shall notify the administrative unit of his findings and of any changes to be made. It shall be the duty of the administrative unit to make the changes promptly. If it fails to make the changes, the administrative unit shall be liable to the penalties provided in section 854.