

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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PORTLAND LITHOGRAPH COMPANY
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1977

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

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ONE HUNDRED AND EIGHTH LEGISLATURE

1977

The following seasons shall be established for persons hunting with bow and arrow only.

1. Special open season for deer. There shall be a special open season from the first Monday of October to the beginning of the regular deer hunting season as described in section 2353 for the purpose of hunting deer with bow and arrow only.
2. Open season. It shall be legal to hunt any wild animal by bow and arrow during any open season on that animal.

§ 2502. License; tags

The commissioner shall issue an archery license which shall allow persons to hunt deer during the special archery season described in section 2501, and to hunt any wild animal, including deer, by bow and arrow during any open season on that animal. Archery licenses and fees are established as follows:

- | | |
|--|---------|
| 1. Resident archery license | \$ 7.50 |
| 2. Combination resident archery hunting and fishing license, to be available from the department in Augusta only | 12.50 |
| 3. Nonresident archery license | 30.50 |

The issuing agent shall retain a fee of 50¢ for each license issued. Archery deer tags shall be issued for use in the same manner as regular deer tags. If a person does take a deer with bow and arrow during the open season on deer, he is precluded from further hunting for deer during that year.

Section 2401, subsection 1, shall not apply to archery licenses.

No resident under the age of 10 years and no nonresident under the age of 12 years shall hunt with bow and arrow at any time. Any resident between the ages of 10 and 16 years and any nonresident between the ages of 12 and 16 years, who hunts under section 2501, shall purchase an archery license with the written consent of a parent or guardian and shall be accompanied at all times while hunting by a parent or guardian or an adult approved by a parent or guardian.

Effective October 24, 1977

CHAPTER 453

AN ACT Concerning Debtor's Property Exemptions from Attachment and Bankruptcy Proceedings.

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

Sec. 1. 14 MRSA § 4401, sub-§ 1, as last amended by PL 1973, c. 512, § 1, is repealed and the following enacted in its place:

1. Apparel, household furniture and goods, bed. The debtor's apparel; the debtor's interest, not to exceed \$1,000, in household furniture and goods necessary for himself, his spouse and children; one bed, bedstead and necessary bedding for each such person; one radio and one television not exceeding \$200 in total values and the debtor's interest, not to exceed \$1,000, in one motor vehicle, as defined in Title 29, section 1, subsection 7;

Sec. 2. 14 MRSA § 4401, sub-§ 6, as amended by PL 1967, c. 412, § 3, is further amended to read:

6. Trade tools, sewing machine, refrigerator, washing machine, musical instruments. The debtor's interest, not to exceed \$1,000, in the tools necessary for his trade or occupation, including power tools, materials and stock designed and procured by him and necessary for carrying on his trade or business and intended to be used or wrought therein ~~not exceeding \$500 in value, and~~; one sewing machine, one refrigerator and one washing machine not exceeding \$200 each in value for actual use by himself or family; the musical instruments used by him in his profession as a professional musician, not exceeding \$200 in value;

Sec. 3. 14 MRSA § 4401, sub-§ 10 is amended to read:

10. Boat. One boat not exceeding \approx 5 tons burden, usually employed in fishing business, belonging wholly to an inhabitant of the State.

Sec. 4. 14 MRSA § 4402 is enacted to read:

§ 4402. Debtor's interest exceeding interest exempt

If the debtor's interest in any item of personal property listed in section 4401 exceeds the amount of his interest in that property which is exempt from attachment and execution, that property may be subject to a forced sale. The whole of the property shall be sold and the proceeds of the sale shall be distributed as follows:

1. Interest which is exempt. To the debtor in the amount of his interest in that property which is exempt; that amount shall remain exempt from attachment and execution by a creditor for a period of one year. At the end of that year, if that amount is not reinvested in property of the same kind, that amount shall become subject to attachment and execution;

2. Extent of claim. To the creditor attaching or executing on the property to the extent of this claim; and

3. Balance of proceeds. To the debtor, the balance of the proceeds.

Sec. 5. 14 MRSA § 4551, as repealed and replaced by PL 1973, c. 512, § 2, is amended to read:

§ 4551. Homestead exemption

Except as provided in section 4552, a homestead whenever acquired shall be exempt from attachment, execution or forced sale under process of any

court, and no judgment, decree or execution shall be a lien thereon; provided that only so much of such property as does not exceed ~~\$3,000~~ \$5,000 in value is exempt. The term "homestead" means a lot of land and the building thereon, owned by the householder, who uses the same as his principal place of abode.

Sec. 6. 14 MRSA § 4553, as repealed and replaced by PL 1973, c. 512, § 4, is amended to read:

§ 4553. Creditors claiming greater value

If the interest of a householder in his homestead exceeds ~~\$3,000~~ \$5,000, it may be subjected to a forced sale. The householder may set off such part thereof which is of a value of ~~\$3,000~~ \$5,000 and designate that portion as exempt from sale. If the householder fails to so designate such portion, the whole of the property shall be sold and the proceeds of said sale shall be distributed as follows:

1. To the householder in the amount of ~~\$3,000~~ \$5,000; and said ~~\$3,000~~ \$5,000 shall remain exempt from attachment and execution by any creditor for a period of one year. At the end of said period, if the ~~\$3,000~~ \$5,000 is not reinvested in property which qualifies for a homestead exemption, the ~~\$3,000~~ \$5,000 shall become subject to attachment and execution;
2. To the creditor attaching or executing on the homestead to the extent of his claim;
3. To the householder, the balance of the proceeds.

Effective October 24, 1977

CHAPTER 454

AN ACT to Establish Long-term Foster Care.

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

Sec. 1. 22 MRSA § 3-B is enacted to read:

§ 3-B. Emergency medical care

Any children's home, licensed under chapter 1663, is authorized to consent to emergency medical treatment for any state ward in residence in the home if payment for this treatment is available under Title 19 of the Social Security Act. Within 24 hours following any emergency treatment, the children's home shall notify the department of the nature of the emergency situation, the emergency treatment which has been given and the need, if any, for further treatment.