

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**  
AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE  
AT THE

SECOND REGULAR SESSION

January 4, 1978 to April 6, 1978

FIRST SPECIAL SESSION

(No laws enacted)

September 6, 1978 to September 15, 1978

SECOND SPECIAL SESSION

October 18, 1978

THIRD SPECIAL SESSION

December 6, 1978

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

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K. J. Printing  
Augusta, Maine  
1979

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**  
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permitted to be filed with him and to refuse to file documents not utilizing those forms to the extent possible; and

3. Refuse to file. The power to refuse to file any document which is not clearly legible or which may not be clearly reproducible photographically.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective February 9, 1978

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## CHAPTER 593

AN ACT to Clarify the Statute Relating to Attorneys so that Nonattorneys may Appear in Small Claims Court on Behalf of Corporations.

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

Sec. 1. 4 MRSA § 807, 3rd sentence, is amended to read:

This section shall not be construed to apply to practice before any Federal Court by any person duly admitted to practice therein; nor to a person pleading or managing his own cause in court; nor to the officer or employee of a corporation, partnership or governmental entity, who is not an attorney, but is appearing for that organization in an action cognizable as a small claim under Title 14, chapter 737.

Sec. 2. 14 MRSA § 7452, as amended by PL 1977, c. 564, § 71, is further amended to read:

### § 7452. Procedure

There is established a simple, speedy and informal procedure which a plaintiff or his authorized attorney or representative may pursue in an action commenced before a Judge of a District Court for the determination of a small claim. Such procedure shall be alternative and not exclusive.

~~Notwithstanding Title 4, sections 807 to 811, a~~ A corporation, partnership or governmental entity may appear as a plaintiff or a defendant in such an action without an authorized attorney, as provided under Title 4, section 807.

Sec. 3. 14 MRSA § 7453, 1st sentence, is amended to read:

A plaintiff or his authorized attorney or representative shall state the substance of his claim to the clerk of the District Court having jurisdiction thereof who shall briefly record the notice of the claim and set a date for a hearing.

Sec. 4. 14 MRSA § 7453, last sentence, as amended by PL 1971, c. 206, § 3, is further amended to read:

The plaintiff or his authorized attorney or representative shall at the same time pay an entry fee of \$5. from which the clerk is authorized to expend the costs of giving notice to defendant and notice to plaintiff and the remainder to be retained by the court as costs.

Effective July 6, 1978

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## CHAPTER 594

### AN ACT to Empower Administrative Hearing Officers to Sign Fair Hearing Decisions.

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

22 MRSA § 3181, sub-§ 1, 3rd sentence, as enacted by PL 1973, c. 790, § 2, is repealed as follows:

~~When the evidence in the case is heard by a person other than the commissioner, the decision shall be rendered in the name of the commissioner.~~

Effective July 6, 1978

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## CHAPTER 595

### AN ACT Relating to the Taxation of Certain Property Owned and Operated by Telephone or Telegraph Companies.

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

Whereas, certain small towns have been refused payment on taxes assessed on microwave towers because of ambiguity in the law; and

Whereas, litigation on this matter may be prolonged and costly; and