

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

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

Kennebec Journal
Augusta, Maine
1979

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Sec. 5. 17 MRSA § 2853, as last amended by PL 1977, c. 707, § 5-A, is further amended by adding at the end a new paragraph to read:

Expenses shall include, but not by way of limitation, the costs of title searches, location reports, service or process, costs of removal of the structure, any costs incurred in securing the structure, pending its removal, and all other costs incurred by the municipality which are reasonably related to the removal of the structure. In addition to levying a special tax, the municipality may recover its expenses, including its reasonable attorney's fees, by means of a civil action brought against the owner.

Sec. 6. 17 MRSA §§ 2856-2858 are enacted to read:

§ 2856. Securing dangerous structures

In addition to other proceedings authorized by this subchapter, a municipality shall have the right to secure structures which pose a serious threat to the public health and safety and to recover its expenses in so doing as provided in this subchapter. If a building is secured under this section, notice, in accordance with section 2851, subsection 1, shall be given. This notice need not be given before securing the structure if the threat to the public health and safety requires prompt action.

§ 2857. Recording of notice

The municipal clerk shall cause an attested copy of the notice to be recorded in the Registry of Deeds located within the county where the structure is situated. Recording of this notice shall be deemed to put any person claiming under the owner of a structure subject to proceedings under this subchapter on notice of the pendency of the proceedings.

§ 2858. Consent to removal

The owner and parties-in-interest of a dangerous structure may consent to its removal and to the recovery of the expenses incurred by a municipality by means of a special tax as set forth in this subchapter. Notices of the consent shall be recorded in the Registry of Deeds located in the county where the structure is situated.

Effective September 14, 1979

CHAPTER 28

S. P. 57 — L. D. 90

AN ACT to Increase Certain Fees for Pharmaceutical Providers.

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

Whereas, the Board of Commissioners of the Profession of Pharmacy urgently requires additional operating funds from an increase in certain fees before July 1, 1979; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 32 MRSA § 2901, 2nd ¶, first sentence, as last amended by PL 1977, c. 346, § 1, is further amended to read:

The application for such a permit shall be made on a form to be prescribed and furnished by said board and shall be accompanied by the required fee of ~~\$50~~ \$100, which amount shall also be paid for each renewal of such permit.

Sec. 2. 32 MRSA § 2902, first ¶, first sentence, as last amended by PL 1977, c. 346, § 2, is further amended to read:

Every person not already registered, entering upon the practice of pharmacy, upon the payment of a fee of ~~\$50~~ \$100 to the secretary of said board, except as otherwise provided, shall be examined by said commissioners and shall present to them satisfactory evidence that he had been graduated from some regularly incorporated college of pharmacy and has been employed in a pharmacy for at least one year, and is competent for the practice of pharmacy.

Sec. 3. 32 MRSA § 2902, first ¶, next to last sentence, as amended by PL 1977, c. 346, § 3, is further amended to read:

The board may, in its discretion, grant certificates of registration to such persons as shall make payment of a fee of ~~\$100~~ \$150 to the secretary of the board and shall furnish with their application satisfactory proof that they have been registered in some other state, provided such other state shall require a degree of competency equal to that required of applicants of this State.

Sec. 4. 32 MRSA § 2903, first sentence, as amended by PL 1977, c. 346, § 4, is further amended to read:

Every registered pharmacist and every registered assistant pharmacist who desires to continue to practice pharmacy in this State shall annually, after the expiration of the first year of his registration, on or before the last day of June, pay a renewal fee of ~~\$10~~ \$30 to the secretary of the board, in return for which a renewal registration shall be issued.

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

Effective March 15, 1979

CHAPTER 29

S. P. 33 — L. D. 21

AN ACT to Permit Hotel, Motel and Restaurant Managers to Eject Disruptive or Destructive Persons from their Premises and to Require these Persons to Assume Responsibility for any Damages Caused.

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

30 MRSA § 2854-C is enacted to read:

§ 2854-C. Ejection of disruptive or destructive persons; damage to property

The owner or manager of an inn, hotel, restaurant, lodging house, camping area or boarding house may request that any person on the premises of that establishment who is causing unnecessary disturbance to other persons on the premises or who is damaging or destroying property belonging to or in use by the inn, hotel, restaurant, lodging house or boarding house leave the premises immediately. If any person who is requested to leave the premises pursuant to this section fails or refuses to do so, the owner or manager may use a reasonable degree of force against that person to remove that person from the premises.

Any person who is requested to leave the premises of an inn, hotel, restaurant, lodging house or boarding house or is ejected from the premises pursuant to this section, shall, in addition to any other liability or penalty, be liable for the value of any property belonging to or in use by the inn, hotel, restaurant, lodging house or boarding house which is damaged or destroyed as a result of his conduct while on the premises or which is damaged or destroyed during his ejection from the premises pursuant to this section.

Effective September 14, 1979

CHAPTER 30

H. P. 9 — L. D. 18

AN ACT Relating to Eating, Lodging and Recreational Places Licensing Law.