

# 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.

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Augusta, Maine  
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### § 4872. Disposal of abandoned animals

Any veterinarian may dispose of any animal **he has reason to believe has been** abandoned in his establishment, provided he shall give notice of his intention to do so to the owner at his last known address by registered or certified mail, return receipt requested and shall allow a period of ~~15~~ 5 days to elapse after the receipt is returned before disposing of such animal; but if the owner cannot be located at such address, the veterinarian shall give such notice by publication in a newspaper having a circulation in the town in which such owner was last known to reside, and shall allow a period of ~~15~~ 10 days to elapse after such publication before disposing of such ~~animals~~ animal. **The animal shall be deemed abandoned if the owner was not located by registered mail or notice by publications and did not reply in person or by mail within the time periods outlined stating his intent to claim the animal.**

Sec. 13. 32 MRSA § 4874 is enacted to read:

### § 4874. Immunity from civil liability

Notwithstanding any inconsistent provisions of any public or private and special law, any person who voluntarily, without the expectation of monetary or other compensation renders first aid, emergency treatment or rescue assistance to an animal who is ill, injured or in need of rescue assistance, shall not be liable for damages for injuries alleged to have been sustained by the animal nor for damages for the death of the animal alleged to have occurred by reason of an act or omission in the rendering of the first aid, emergency treatment or rescue assistance, unless it is established that the injuries or the death were caused willfully, wantonly or recklessly or by gross negligence on the part of the person.

Effective September 14, 1979

## CHAPTER 292

S. P. 462 — L. D. 1428

### AN ACT to Eliminate the Termination Provisions of the "Food Products" Sales Tax Exemption.

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

Sec. 1. 36 MRSA § 1752, sub-§ 11, 3rd sentence, as enacted by PL 1977, c. 443, § 1, is amended to read:

Until ~~December 31, 1980~~ **October 15, 1981**, the term "retail sale" or "sale at retail" shall also mean sale of products to a person for resale through coin-

operated vending machines when sold to a retailer whose gross receipts from the retail sale of tangible personal property derived through sales from vending machines are more than 50% of his gross receipts which tax shall be paid by the retailer to the State.

**Sec. 2. 36 MRSA § 1760, sub-§ 3, 4th ¶**, as enacted by PL 1977, c. 443, § 2, is amended to read:

Until ~~December 31, 1980~~ **October 15, 1981**, "food products" shall not include any product sold to a person for resale through coin-operated vending machines when sold to a retailer whose gross receipts from the retail sale of tangible personal property derived through sales from vending machines are more than 50% of his gross receipts.

**Sec. 3. 36 MRSA § 1760, sub-§ 34, last sentence**, as enacted by PL 1977, c. 443, § 3, is amended to read:

Until ~~December 31, 1980~~ **October 15, 1981**, this exemption shall apply to all vending machine sales regardless of price:

Effective September 14, 1979

## CHAPTER 293

S. P. 500 — L. D. 1562

### **AN ACT Making Additional Appropriations from the General Fund for the Current Fiscal Year Ending June 30, 1979, Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government and Amending the Effective Date of Abolishing the Mental Health and Mental Retardation Fund.**

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

Whereas, the 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of departments and institutions will become due and payable before July 1, 1979; and

Whereas, the Legislature authorized the allocation of funds in public law 1977, chapter 712, in order to provide for the necessary expenses for the operation and administration of the Mental Health and Mental Retardation Improvement Fund; and

Whereas, the Mental Health and Mental Retardation Improvement Fund is a