

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

AT THE

**SECOND REGULAR SESSION**

January 2, 1980 to April 3, 1980

AND AT THE

**THIRD SPECIAL SESSION**

May 22, 1980

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**PUBLIC LAWS**  
OF THE  
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29 MRSA § 1652, sub-§ 4, ¶ A, sub-¶ (6), last sentence, as enacted by PL 1977, c. 598, is amended to read:

A 2-axle or 3-axle farm truck equipped with such an axle shall, for all weight proposed, be considered a 2-axle or 3-axle vehicle.

Effective July 3, 1980

## CHAPTER 596

H. P. 1643 — L. D. 1752

### AN ACT Concerning Recording, Comments and Notice Dates Under Administrative Procedure Laws.

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

**Sec. 1.** 5 MRSA § 84, first sentence, as amended by PL 1975, c. 771, § 32, is further amended to read:

The Secretary of State shall prepare and present to the Governor under the seal of the State, in order that the same may receive the signature of the Governor, a commission for every person appointed or a certificate of election to every person elected to any office for which a commission or certificate of election is required; ~~enter record~~ in a suitable ~~book~~ manner the time when and the person by whom any commission or certificate of election is taken from his office, and the time when any certificate of the qualification of any officer is filed therein.

**Sec. 2.** 5 MRSA § 8053, sub-§ 5, ¶ A, as enacted by PL 1979, c. 425, § 5, is amended to read:

A. Arrange for the weekly publication of a consolidated notice of rulemaking of all state agencies, which shall also include a brief explanation to assist the public in participating in the rule-making process. Notice of each rule-making proceeding shall be published twice, at least 14 days apart. The 2nd notice shall be published at least 3 and not more than 10 days prior to the public hearing on the proposed rule or the same period prior to ~~adoption~~ the last date on which data, views and arguments may be submitted to the agency for consideration if no public hearing is scheduled;

**Sec. 3.** 13 MRSA § 981-A, first sentence, as amended by PL 1977, c. 522, § 5, is further amended to read:

Any nonprofit corporation ~~organized prior to the effective date of chapter 133 of the public laws of 1911~~ may present a certificate of such organization to the

Secretary of State, prepared by its officers of the date of such presentation, setting forth the date, place and purpose of the incorporation, its present location and officers, and if the Secretary of State finds that such corporation was formed, by examination of the corporate records or other substantial evidence, whether or not with all the formalities now required in a certificate, and conformed to the law existing at the date of organization, he shall so certify, and the certificate so certified shall be recorded in the registry of deeds where the corporation is located and a copy thereof filed with him, as provided for corporations under the present law; and if a certificate has heretofore been filed with the Secretary of State, as provided by chapter 192 of the public laws of 1897, the corporation may present such certificate or a copy thereof to the Secretary of State.

Effective July 3, 1980

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## CHAPTER 597

S. P. 673 — L. D. 1777

### AN ACT Relating to Winter Closing of Town Ways.

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

**Sec. 1.** 23 MRSA § 2953, 2nd ¶, as repealed and replaced by PL 1979, c. 410, is amended to read:

The municipal officers shall file with the municipal clerk an order specifying the location of the road ~~and the time which it is to be closed, the months, or portions thereof, for which it is to be closed, and for how many years, not to exceed 10, the closing shall be operative.~~ The legislative body of the municipality shall by vote either approve each order or provide that orders so made by the municipal officers shall be a final determination.

**Sec. 2.** 23 MRSA § 2953, as repealed and replaced by PL 1979, c. 410, is amended by adding after the 2nd paragraph the following new paragraphs:

The municipal officers may on their own initiative, or upon petition by 7 legal voters of the municipality, at any time subsequent to one year from the date of a final determination, after notice and hearing, annul, alter or modify the original determination.

The municipal officers shall file with the municipal clerk an order specifying any decision to annul, alter or modify, which shall not become final until the legislative body of the municipality by vote either approves each order or provides that orders so made by the municipal officers are a final determination.

Effective July 3, 1980