

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND TENTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 1980 to June 19, 1981

AND AT THE

FIRST SPECIAL SESSION
August 3, 1981

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

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PUBLIC LAWS
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B. Agrees to supply the Maine customer with monthly allocations of petroleum products for a period of 12 months and furnishes the customer and the Governor with written notice of its intention to discontinue or reduce the allocations at least 12 months in advance of the discontinuance or reduction.

5. **Right of action; injunction; damages.** Whenever the Attorney General, after complaint has been filed by any person alleging injury under this section or upon his own initiative, after investigation, believes any supplier has violated, or is knowingly in violation of, the provisions of this Act, he shall bring an action to enjoin the violation in any Superior Court of the State. Additionally, any person, who is injured in his business or property by a violation of this Act, may bring an action to enjoin the violation and to recover all damages sustained thereby, including costs of suit and a reasonable attorney's fee, in any Superior Court of the State. In an action for money damages, the court or jury may award punitive damages, not to exceed 3 times the actual damages, if the violation is found to be willful.

6. **Termination.** This section terminates on April 1, 1981.

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

Effective January 29, 1981

CHAPTER 4

S. P. 22 — L. D. 20

AN ACT Providing for the Maine State Housing Authority Financing of Intermediate Care Facility Group Homes for the Retarded and Persons with Related Conditions.

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

Whereas, the current needs of the mentally retarded population should, on the basis of law, court order and good judgment, be responded to as quickly as possible; and

Whereas, changes in the Maine State Housing Authority law would help to achieve the maximum use of all resources to create appropriate community residences for Maine's deinstitutionalized population; and

Whereas, the proposed changes would create significant fiscal benefits to the State; 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:

30 MRSA § 4601-A, sub-§ 2, ¶ C, as enacted by PL 1975, c. 522, § 1-A, is amended to read:

C. Any nursing home or related institution licensed or subject to license by the Department of Human Services pursuant to Title 22, section 1817, **except intermediate care facility group homes for the mentally retarded and persons with related conditions.**

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

Effective February 11, 1981

CHAPTER 5

S. P. 24 — L. D. 21

AN ACT to Revise the Land Surveyor Laws.

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

Sec. 1. 32 MRSA § 1661, as enacted by PL 1967, c. 423, § 1, is amended to read:

§ 1661. Purpose

It shall be unlawful for any person to ~~offer to practice~~ or offer to practice land surveying in the State, as defined in this chapter, or to use in connection with his name or otherwise assume, use or advertise any title or description tending to convey the impression that he is a land surveyor, unless he has been duly registered as a land surveyor or exempted under this chapter. Admission to practice land surveying shall be determined upon the basis of personal qualifications.

Sec. 2. 32 MRSA § 1663, as amended by PL 1973, c. 625, § 214, is further amended to read:

§ 1663. Other legally recognized professions not affected