

# 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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**K.J. Printing Co.**  
Augusta, Maine  
1981

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

AS PASSED AT THE  
FIRST REGULAR SESSION

of the  
ONE HUNDRED AND TENTH LEGISLATURE

1981

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**N. Expert testimony concerning its use.**

4. It is unlawful for any person to use, or to possess with intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a scheduled drug in violation of this chapter or Title 22, section 2383.

5. It is unlawful for any person to traffick in or furnish drug paraphernalia, knowing, or under circumstances where one reasonably should know, that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a scheduled drug in violation of this chapter or Title 22, section 2383.

6. It is unlawful for any person to place in any newspaper, magazine, handbill or other publication any advertisement, knowing, or under circumstances where one reasonably should know, that the purpose of the advertisement, in whole or in part, is to promote the sale of objects designed or intended for use as drug paraphernalia.

7. Violation of subsection 4 is a civil violation for which a forfeiture of not more than \$200 may be adjudged.

8. Violation of subsection 5 or 6 is a Class E crime, except that, if the actor trafficks or furnishes drug paraphernalia to a child under 16 years of age, it is a Class D crime.

9. Any drug paraphernalia possessed in violation of this section is declared to be contraband and may be seized and confiscated by the State.

Effective September 18, 1981

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## CHAPTER 267

H. P. 938 — L. D. 1108

### AN ACT to Amend the Law Prohibiting Law Enforcement Officers from Soliciting Funds.

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

Sec. 1. 25 MRSA § 3701, sub-§ 5, ¶¶ A and B, as enacted by PL 1977, c. 449, are repealed and the following enacted in their place:

A. Any verbal request, including, but not limited to, a request that is made in person, by telephone or through any advertising media;

B. Any written request, including, but not limited to, a request that is sent, delivered or distributed or any advertisement posted in a public place or appearing in a newspaper, television or other advertising media; and

Sec. 2. 25 MRSA § 3704, as enacted by PL 1979, c. 575, § 2, is repealed.

Effective September 18, 1981

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## CHAPTER 268

H. P. 1122 — L. D. 1339

### AN ACT Concerning Certain Estates under the Control of Public Administrators.

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

Sec. 1. 18-A MRSA § 3-603, 2nd sentence, as enacted by PL 1979, c. 540, § 1, is amended to read:

Bond may be required by court order at the time of appointment of a personal representative appointed in any formal proceeding except that bond is not required of a personal representative appointed in formal proceedings if the will relieves the personal representative of bond, unless bond has been requested by an interested party and the court is satisfied that it is desirable, or as provided in section 3-619, subsection (g).

Sec. 2. 18-A MRSA § 3-619, sub-§ (a), 2nd sentence, as enacted by PL 1979, c. 540, § 1, is amended to read:

The public administrator shall have the same powers and duties of a personal representative under supervised administration as provided in section 3-504, and except as provided in subsection (g), shall give bond as provided for other personal representatives in cases of ordinary administration under sections 3-603 through 3-606.

Sec. 3. 18-A MRSA § 3-619, sub-§ (e), as enacted by PL 1979, c. 540, § 1, is repealed and the following enacted in its place:

(e) When there are assets, other than real property, remaining in the hands of such public administrator after the payment of the decedent's debts and all costs of administration and no heirs have been discovered, the public administrator shall be ordered by the judge to deposit them with the Treasurer of State, who