

# MAINE STATE LEGISLATURE

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LAWS  
OF THE  
STATE OF MAINE  
AS PASSED BY THE  
One Hundred and Sixth Legislature  
1ST SPECIAL SESSION  
JANUARY 2, 1974 TO MARCH 29, 1974  
AND BY THE  
One Hundred and Seventh Legislature  
REGULAR SESSION  
JANUARY 1, 1975 TO JULY 2, 1975

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN  
ACCORDANCE WITH THE REVISED STATUTES OF 1964, TITLE 3,  
SECTION 164, SUBSECTION 6.

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THE KNOWLTON AND McLEARY COMPANY  
FARMINGTON, MAINE  
1975

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PUBLIC LAWS  
OF THE  
STATE OF MAINE

AS PASSED BY THE  
One Hundred and Seventh Legislature

1975

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The effective date of this Act, except for sections 1, 22, 52, 53, 54, 55, 56 and 57, shall be January 1, 1976.

**Sec. 67. Appropriation.** There is appropriated from the General Fund to the State Retirement System the sum of \$161,360 to carry out the purposes of this Act. The breakdown shall be as follows:

	1975-76	1976-77
STATE RETIREMENT SYSTEM		
All Other	—	\$161,360

**Sec. 68. Allocation of General Highway Fund.** There is allocated from the receipts of the General Highway Fund for the next 2 fiscal years, from July 1, 1975 to June 30, 1976 and from July 1, 1976 to June 30, 1977, to the State Retirement System the sum of \$24,767 to carry out the purposes of this Act. Such allocation shall be expended as follows:

	1975-76	1976-77
STATE RETIREMENT SYSTEM		
	—	\$24,767

**Sec. 69. Utilization of other funds.** Payments required by this Act for employees in departments supported by the General Highway Fund shall be paid as provided in section 68 of this Act. Payments required by this Act for employees in departments supported by Special Revenue Funds or other funds shall not be paid from the moneys provided in sections 67 and 68 of this Act, but shall be paid from funds available to such departments from other sources.

Effective January 1, 1976, unless otherwise indicated

## CHAPTER 623

### AN ACT to Correct Errors and Inconsistencies in the Public Laws.

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

Whereas, many Acts enacted by previous Legislatures have created inconsistencies and technical errors; and

Whereas, such inconsistencies and errors have created uncertainties and confusion in interpreting legislative intent; and

Whereas, it is vitally necessary that such uncertainties be resolved so that injustices to the people of Maine may be avoided; 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. 1 MRSA § 402-A, as enacted by PL 1975, c. 483, § 3, is repealed and the following enacted in place thereof:

§ 402-A. Public records defined

The term "public records" shall mean any written, printed or graphic matter, or any mechanical or electronic data compilation from which information can be obtained, directly or after translation into a form susceptible of visual or aural comprehension, that is in the possession or custody of an agency or public official of this State or any of its political subdivisions and has been received or prepared for use in connection with the transaction of public or governmental business, or contains information relating to the transaction of public or governmental business, except:

1. Records designated confidential. Records that have been designated confidential by statute.

2. Records within the scope of privilege against discovery. Records that would be within the scope of a privilege against discovery or use as evidence recognized by the courts of this State in civil or criminal trials, if the records or inspection thereof were sought in the course of a court proceeding.

3. Legislative records and reports. Records, working papers, interoffice and intraoffice memoranda used or maintained by any legislator, legislative agency or legislative employee to prepare proposed Senate or House papers or reports for consideration by the Legislature or any of its committees during the biennium in which such proposal or report is prepared.

Sec. 1-A. Effective date. Section 1 of this Act shall become effective 91 days after adjournment of the Legislature.

Sec. 1-B. 2 MRSA § 6, sub-§ 1, last 2 lines, as enacted by P&SL 1973, c. 207, § 5, are repealed.

Sec. 2. 2 MRSA § 6, sub-§ 1, as last repealed and replaced by PL 1973, c. 788, § 2, is amended by adding at the end the following:

Commissioner of Business Regulation;

Commissioner of Manpower Affairs.

Sec. 3. 3 MRSA § 165, sub-§ 7, first sentence, as enacted by PL 1973, c. 590, § 8, is amended to read:

When the duties assigned to a committee so require, the Legislature may grant to it the power to administer oaths, issue subpoenas, **compel the attendance of witnesses and the production of any papers, books, accounts, documents and testimony**, and to cause the deposition of witnesses, whether residing within or without the State to be taken in the manner prescribed by law for taking depositions in civil actions in the Superior Court.

Sec. 3-A. 3 MRSA § 168, first sentence, as enacted by PL 1973, c. 590, § 11, is amended to read:

The President of the Senate, the Majority and Minority Floor Leaders of the Senate, the Speaker of the House of Representatives, and the Majority and