

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-eighth and Eighty-ninth
Legislatures

OF THE

STATE OF MAINE

From April 24, 1937 to April 21, 1939

AND

MISCELLANEOUS STATE PAPERS

Published by the Secretary of State, in conjunction
with the Revisor of Statutes in accordance with the
Resolves of the Legislature approved June 28, 1820,
March 18, 1840, March 16, 1842 and Acts approved
August 6, 1930 and April 2, 1931.

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AUGUSTA, MAINE
1939

PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Eighty-ninth Legislature

1939

CHAP. 186

fees taxed against a respondent, if any, under any provision of this chapter, which are not paid or recovered from the respondent shall not be assumed or paid by the county where the offense was committed. All fees, fines and penalties recovered and money received, or collected, and paid to the treasurer of state as aforesaid in excess of \$100,000 shall be credited to the department of inland fisheries and game for the operation of fish hatcheries and feeding stations for fish, for the protection of fish, game and birds, and for printing the report of said commissioner and other expenses incident to the administration of said department, and shall be expended by the said commissioner for the purposes for which said department is created.

Provided, further, that if any of such fees, fines, penalties or other moneys are not expended during the year in which they are collected, the unexpended balance shall not lapse, but be carried as a continuing account and available for the purposes herein specified until expended.

Any officer, or other person who shall receive any fine or penalty, or any part thereof, for the violation of any inland fish or game law, or rule and regulation, or any fees for licenses issued by authority of any inland fish and game law and shall neglect for more than 30 days to pay the same to the commissioner as herein provided, shall be punished by a fine of not less than \$50, nor more than \$100 and costs of prosecution for each offense.'

Approved April 6, 1939.

Chapter 186

AN ACT Relating to Permits for Nonresident Charter Parties.

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

R. S., c. 29, § 41, amended. The 4th paragraph of section 41 of chapter 29 of the revised statutes, as amended by chapter 233 of the public laws of 1933, and chapter 54 of the public laws of 1937, is hereby further amended to read as follows:

'Third. Any passenger bus bringing into the state ~~persons as a single~~ an organized group or party for whose exclusive use such bus has been chartered and is so used, and which is chartered ~~and intended to be used~~ ~~solely~~ for use as a continuous means of conveyance for such group of persons while ~~they are touring~~ traveling in the state and for no other purpose, provided a permit for such operation be issued by the secretary of state. ~~The operator of each such bus shall obtain from the secretary of state, or some of his agents or inspectors a permit describing and identifying the vehicle. Said permit shall state the date of issuance, and~~

thereon shall be printed a copy of this paragraph. No such permit shall be issued until the operator files with the secretary of state proof of insurance as provided for by section 54-A, and a copy of the charter agreement as required in this paragraph. Upon filing proof of insurance in accordance with the provisions of section 54-A, together with an application signed by the owner or operator of such bus and by the party or a representative of the group chartering such bus and stating the period of time for which such permit is desired, a description of the bus, the name of the chauffeur who is to operate the same, a description of the contemplated trip and other information as may be required by the secretary of state, a permit for such operation may be issued.'

Approved April 6, 1939.

Chapter 187

AN ACT Relating to Sale or Possession of Poisons.

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

Sec. 1. R. S., c. 23, § 22, amended. Section 22 of chapter 23 of the revised statutes is hereby amended to read as follows:

'Sec. 22. Opium, morphine, cannabis indica or cannabis sativa, etc., to be sold only upon a written prescription; prescription to be open to inspection; exceptions. No person shall sell, furnish, give away or deliver opium, morphine, heroin, codeine, cannabis indica or cannabis sativa, or any salt, compound, or preparation of said substances, or any derivative of cannabis indica or cannabis sativa, either dried or in any cigarettes, tobacco, either smoking or chewing, or snuffing articles, or in any other form whatsoever except upon the written prescription or order of a lawfully authorized practitioner of medicine, dentistry, or veterinary medicine, which prescription shall be dated and shall bear the name of the person giving it, and the name of the person prescribed for; the original prescription shall be retained by the druggist filling the same for at least 2 years, and shall not again be filled except upon the written order of the original prescriber. Such prescriptions shall at all times be open to inspection by members of the state department of health and welfare, the board of commissioners of pharmacy, state officials and their duly authorized agents, and by the police authorities and officers of the cities and towns. No practitioner of veterinary medicine shall prescribe any of the above substances for the use of a human being. The provisions of this section shall not apply to sales made by a manufacturer or wholesale or retail druggist to another manufacturer, or wholesale or retail druggist; nor to sales made to hospitals, colleges,