

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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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Eighty-ninth Legislature

1939

CHAP. 226

and for the purposes mentioned in this section only may construct and maintain trails and roads, and may assume the maintenance, operation and utilization of forest truck-trails built for the purpose of preventing and suppressing forest fires, hereafter constructed by the Civilian Conservation Corps or other agency of the United States Government.'

Approved April 18, 1939.

Chapter 225

AN ACT Relating to the State Police.

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

P. L., 1933, c. 1, § 233-A, amended. Section 233-A of chapter 1 of the public laws of 1933, as created by chapter 182 of the public laws of 1935, is hereby amended to read as follows:

'Sec. 233-A. State police retirement system. Any member of the state police who shall have served as a member thereof for 20 years with a good record, may upon request in writing to the chief of the state police be retired from active service and placed upon the pension rolls, and receive thereafter $\frac{1}{2}$ of the pay per annum that is paid to a member of his grade at the time of his retirement. Provided, however, that not more than ~~5%~~ 10% of the entire active strength of the force shall be so carried on the retired list at any one time under the provisions of sections 233-A to 233-C, inclusive.'

Approved April 18, 1939.

Chapter 226

AN ACT Relative to Hunting and Fishing Licenses; Revocation of.

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

R. S., c. 38, § 43, amended. Section 43 of chapter 38 of the revised statutes, as revised, is hereby repealed and the following inserted in place thereof:

'Sec. 43. Hunting and fishing licenses; revocation of. Upon the conviction of any person holding a license or licenses under the provisions of chapter 38 of the revised statutes, as revised, of any violation of sections 28, 44, 45, 46, 47, 48, 49, 62, 69, 73, 81, 92, 93, 94, 95 and 96, the commis-

sioner of inland fisheries and game shall revoke all of such licenses held by such person for a period of 1 year from the date when notified of said conviction as hereinafter provided.

Upon conviction of any person holding a license or licenses under the provisions of chapter 38 of the revised statutes, as revised, of any violation of sections 9, 9-B, 15, 15-A, 16, 17, 26, 27, 27-A, 46-A, 50, 59, 60, 61, 63, 64, 66, 67, 68, 70, 71, 72-A, 74, 77, 79, 80, 82 to 91, inclusive, or 108, the commissioner of inland fisheries and game shall revoke the license issued to such person to carry on the particular activity in which he was engaged at the time of such violation, for the period of 1 year from the date when notified of said conviction as hereinafter provided.

Upon the conviction of any person holding a license or licenses under the provisions of any of the sections of said chapter 38 not hereinbefore mentioned, or of any rules and regulations of the commissioner of inland fisheries and game, the commissioner may revoke any license or licenses held by such person for a period not exceeding 6 months from the date when notified of said conviction as hereinafter provided.

In the event that any person convicted of the violation of the provisions of any section of chapter 38 or of any rules and regulations of the commissioner of inland fisheries and game, shall appeal from the sentence imposed therein the commissioner may suspend any or all licenses held by such person during the pendency of said appeal and until final disposition of said appealed case.

If at the time of conviction of any person charged with a violation of the provisions of any section of chapter 38, such person shall not be the holder of a license or licenses to conduct the particular activity in which he was engaged at the time of such violation, the commissioner of inland fisheries and game shall not issue any such license to said person until 1 year has elapsed from the date of final determination of any complaint or legal proceedings instituted as the result of said violation.

In the event that any person shall be convicted for a 2nd or successive violation of the provisions of any section of chapter 38, or of any rules and regulations of the commissioner of inland fisheries and game, the commissioner shall revoke the license or licenses of such person, or refuse to issue a license or licenses to such person not the holder of a license at the time of conviction, for a period which shall be double the period hereinbefore provided for 1st violation of any of said sections, but in no case for less than 1 year.

Trial justices, judges or recorders of municipal courts, and clerks of

superior courts, upon conviction of any person for violation of any of the provisions of chapter 38, shall immediately forward to the commissioner of inland fisheries and game a transcript of the records of said proceedings with a record of any appeal entered on any judgment or sentence of said court.'

Approved April 18, 1939.

Chapter 227

AN ACT Relating to the Discharge of Persons Committed to the Insane Hospitals.

Emergency preamble. Whereas, there now exists in state hospitals for the insane in the state of Maine a large number of patients, which causes an overcrowded condition insofar as the present capacity and living quarters of these institutions now provide; and

Whereas, the superintendents of these institutions could release certain patients from these institutions when, in the opinion and judgment of the superintendent a release would be proper, having in mind the condition of the patient and public safety, except where patients are confined as result of criminal prosecution; and

Whereas, that by so releasing these patients it would then be possible for these institutions to care for many serious cases which should be admitted and cared for by these institutions; and

Whereas, at the present time the state hospitals for the insane are taxed to such a capacity that it is utterly impossible to properly admit and care for with suitable provisions and quarters any other insane persons; and

Whereas, in the judgment of the legislature these facts create an emergency within the meaning of section 16 of Article XXXI 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. Discharge of patients from the insane hospitals. Whenever in the judgment of the superintendents of either of the hospitals for the insane any person, other than a person committed thereto as criminally insane, committed to and confined therein, requires only infirmary care, he shall certify that fact to the overseers of the poor of the city or town in which such person has his pauper settlement; and said overseers of the poor shall forthwith remove such person or cause such person to be re-