

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and First Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with the Revised Statutes of 1954, Chapter 10, Section 27, Subsection VI.

The Knowlton and McLeary Company
Farmington, Maine
1963

PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the One Hundred and First Legislature

1963

I-B. Retirement benefit for policemen and firemen. Any participating local district, by filing with the board of trustees a duly certified copy of its action, may provide a retirement benefit for policemen and firemen, in lieu of the retirement benefits otherwise provided in this chapter for these employees, of $\frac{1}{2}$ salary after having completed 20 to 25 years of service, which benefit shall be based on the annual rate of salary being paid such individuals at point of retirement. If and when such base annual salary of active policemen and firemen is increased, the retirement benefits of those officers already retired shall be adjusted accordingly effective as of the date such increases are granted active officers.'

Effective September 21, 1963

Chapter 27

AN ACT Providing for Approval of Legislature for Expenditure of Inland Fisheries and Game Expenditures.

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

R. S., c. 37, § 129, amended. Section 129 of chapter 37 of the Revised Statutes, as revised, is amended by inserting after the first paragraph a new paragraph to read as follows:

'All moneys credited to the Department of Inland Fisheries and Game shall be credited, apportioned and expended as provided by the Legislature.'

Effective September 21, 1963

Chapter 28

AN ACT Revising the Maine Mining Law.

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

Sec. 1. R. S., c. 39-B, § 4, sub-§ VII, amended. Subsection VII of section 4 of chapter 39-B of the Revised Statutes, as enacted by section 2 of chapter 293 of the public laws of 1957 and as repealed and replaced by section 3 of chapter 135 of the public laws of 1959, is amended by inserting after the first sentence the following:

'If the amount of assessment expenditure is far in excess of the minimum requirement, the Mining Bureau may, upon petition of the claimholder, allow all or part of this excess expenditure to be credited to assessment requirements in the following years, as long as the claims are held during the 5-year claim period defined in subsection IX.'

Sec. 2. R. S., c. 39-B, § 4, sub-§ VII, amended. Subsection VII of section 4 of chapter 39-B of the Revised Statutes, as enacted by section 2 of chapter 293 of the public laws of 1957 and as repealed and replaced by section 3 of chapter 135 of the public laws of 1959, is amended by adding at the end the following:

'If the normal exploration plans on overwater claims or a claim group include drilling or geophysical work which requires an ice cover, the Mining Bureau may allow the exploration expenditure to be applied either to a present year or the subsequent year, if requested by the claimholder. Extension will be granted only to those claims which are of record 3 months prior to December 31st of the year in which the request is made.'

Sec. 3. R. S., c. 39-B, § 4, sub-§ IX, amended. Subsection IX of section 4 of chapter 39-B of the Revised Statutes, as enacted by section 2 of chapter 293 of the public laws of 1957 and as repealed and replaced by section 3 of chapter 135 of the public laws of 1959, is amended by inserting after the 2nd sentence the following new sentence:

'The Mining Bureau may, upon application and for good reason, grant an extension for an additional period not to exceed 5 years.'

Sec. 4. Effective date. This act shall be retroactive to January 1, 1963.

Effective September 21, 1963

Chapter 29

AN ACT Relating to Distribution of Obscene Literature.

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

Sec. 1. R. S., c. 134, § 24, amended. Section 24 of chapter 134 of the Revised Statutes, as repealed and replaced by section 1 of chapter 321 of the public laws of 1957 and as amended, is further amended to read as follows:

'**Sec. 24. Distribution and sale of publications or film depicting sadism, lust, etc.** Whoever sells, rents, displays for sale, loans, gives or distributes to any person or offers for sale to such a person or has in his possession, actual or constructive, any pamphlet, magazine, comic book, picture, picture book or film which contains illustrations of, or the literature of which contains, sadism, masochism, sexual perversion, bestiality or lust, or obscenity, indecency or immorality, shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than 11 months. Under this section it shall be necessary to prove that the defendant knows, or by the exercise of reasonable diligence should know, of the offensive literature involved or the offensive picture contained in the literature involved. This section shall not apply to any medical examiner, county attorney, state attorney, police officer, sheriff or physician while in the performance of their professional or official duties.'

Sec. 2. R. S., c. 134, § 27, amended. The first sentence of section 27 of chapter 134 of the Revised Statutes, as amended, is further amended to read as follows:

'Whoever circulates, posts or causes to be circulated or posted in any conspicuous or public place any magazine, picture, handbill or poster containing obscene,