

MAINE STATE LEGISLATURE

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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

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This deer transportation tag shall cost \$20.25, 25c to be retained by the issuing agent, except that no fee shall be required of any resident of this State who is serving in the Armed Forces of the United States.

VIII. Nonresident. Any nonresident who has legally killed and registered a deer may have said deer transported beyond the boundaries of this State under the following conditions:

A. Said deer or parts thereof may be transported by a Maine licensed transportation company, including common carriers;

B. Said deer or parts thereof may be transported by other than a Maine licensed transportation company, including common carriers, when accompanied by a nonresident transportation permit which may be obtained by the licensee from an inland fish and game warden in whose district the deer was killed, or from any inland fish and game warden supervisor.

IX. Printing on nonresident license. There shall be printed upon the back of the deer coupon portion of a nonresident license, which shall be attached to each deer so transported, the following words: **THIS DEER WAS SHOT IN THE STATE OF MAINE.** The first 8 words shall be printed in 18-point caps and the word "MAINE" in 96-point Gothic type.

X. Application. Except as provided in this section, no person shall transport or attempt to transport any deer or parts thereof beyond the limits of this State.'

Sec. 2. R. S., c. 37, §§ 99, 100, 102 & 103, repealed. Sections 99, 100, 102 and 103 of chapter 37 of the Revised Statutes, as revised, are repealed.

Effective September 21, 1963

Chapter 178

AN ACT Relating to Automobile Junk Yards.

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

Sec. 1. R. S., c. 100, § 137, amended. The last sentence of section 137 of chapter 100 of the Revised Statutes is amended to read as follows:

'It is declared that such automobile graveyards are a nuisance and are properly subject to police regulation and control.'

Sec. 2. R. S., c. 100, § 138, amended. Section 138 of chapter 100 of the Revised Statutes is amended to read as follows:

'Sec. 138. Establishment and maintenance of automobile junk yards. No automobile junk yard or "automobile graveyard" so called, where 3 or more un-serviceable, discarded, worn-out or junked automobiles or bodies or engines

thereof are gathered together, shall be established, operated or maintained, or permitted by the owner of any land to be established, operated or maintained, without first obtaining a nontransferable permit to do so from the municipal officers of the ~~city or town~~ municipality wherein said yard is to be established, operated or maintained, or from the county commissioners of the county in which said yard is to be established, operated or maintained in an unorganized township, which permit shall be valid only until the first day of the year following.'

Sec. 3. R. S., c. 100, § 139, amended. The first sentence of section 139 of chapter 100 of the Revised Statutes is amended to read as follows:

'Municipal officers or county commissioners as provided for in section 138 shall, before granting a permit to establish, operate or maintain such automobile junk yard, hold a public hearing, notice of which shall be posted at least 7 days prior to and not more than 14 days prior to said hearing, in not less than ~~3~~ 2 public places in said ~~city or town~~ municipality or unorganized territory, and in one newspaper of general circulation in said ~~city or town~~ municipality or unorganized territory wherein such yard is to be established, operated or maintained.'

Sec. 4. R. S., c. 100, § 140, amended. Section 140 of chapter 100 of the Revised Statutes is amended to read as follows:

'Sec. 140. Limitations on granting permits for initial establishment. No permit shall be granted for such automobile junk yard to be established within an unreasonable distance, and in no case less than ~~500~~ 600 feet, from any state or state aid highway now or hereafter designated as such highway by the State Highway Commission, or county road, if within view from said highway, except upon condition that the area to be occupied by said automobiles or parts thereof be kept entirely screened to ordinary view by those passing upon said highway, by natural objects or well constructed and properly maintained fences at least 6 feet high, acceptable to said municipal officers or county commissioners and so specified in said permit; ~~nor.~~ No permit shall be granted if said area is within a radius of 300 feet of any public park, public playground, public bathing beach, school, church or cemetery, ~~which shall have been established prior to the establishment of such yard and which is within ordinary view thereof; except that the provisions of this.~~ This section and section 141 shall not be mandatory when such junk yard is located in the built-up portions of any ~~city, town, or village as defined by section 113 of chapter 22; provided further, that the municipality.~~ The municipal officers may in their discretion insert ~~like or lesser~~ more stringent restrictions, limitations and conditions in a permit to establish an automobile junk yard, adjacent to any public way, road or street in the built-up portion of the ~~city, town or village, but shall impose no more stringent restrictions, limitations or conditions~~ municipality. The municipal officers may stipulate reasonable conditions to be attached to the permit covering operation, use and other matters. Violation of any of the conditions, restrictions or limitations shall be cause for revoking said permit.'

Sec. 5. R. S., c. 100, § 141, amended. Section 141 of chapter 100 of the Revised Statutes is amended to read as follows:

'Sec. 141. If within 100 feet of a highway. Notwithstanding ~~the provisions of~~ section 139, no permit shall be granted for such automobile junk yard to be

established within 100 feet of any state or state aid highway, or county road, except upon compliance with the provisions of section 140 and upon payment of an annual fee of \$500 to the city or town municipality, or to the county treasurer for the use of the county in the case of unorganized territory, within which limits the automobile junk yard is to be established, operated or maintained.'

Sec. 6. R. S., c. 100, § 143, amended. Section 143 of chapter 100 of the Revised Statutes is amended to read as follows:

'**Sec. 143. Penalty.** Whoever violates any provision of sections 137 to 144 shall be guilty of a misdemeanor and shall be punished by a fine of not less than \$100 nor more than \$500, or by imprisonment for not more than 90 days, or by both, and it shall be the duty of the State Police as well as local and county officers of the law to enforce the provisions of said sections. ~~In case of default in payment of the fine imposed herein, the violator shall be punished by imprisonment for not more than 90 days.~~ Each day that the violation continues shall constitute a separate offense.'

Effective September 21, 1963

Chapter 179

AN ACT Relating to Fees in Disclosure Proceedings.

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

R. S., c. 120, § 42, amended. The first 5 sentences of section 42 of chapter 120 of the Revised Statutes are repealed and the following enacted in place thereof:

'The judge or disclosure commissioner shall be entitled to a fee of \$5. The petitioner shall be entitled to a fee of \$5 in every case. The fees of officers shall be the same as for service of other process of similar nature. The petitioner may, if the judge or disclosure commissioner authorizes it, procure an officer to be in attendance during the proceedings, and the fees for such attendance shall be the same as for attendance in the District Courts. The fees of the judge, disclosure commissioner and officers shall be paid by the petitioner and in all cases, shall be added to the costs on the judgment and execution and taxed in detail thereon by the judge or disclosure commissioner.'

Effective September 21, 1963

Chapter 180

AN ACT Relating to Dogs Brought to Veterinarian.

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

R. S., c. 140, § 18, amended. The 2nd sentence of section 18 of chapter 140 of the Revised Statutes is amended to read as follows:

'Any licensed veterinarian, humane society or shelter accepting such a sick, stray, injured or abandoned dog shall keep the same for a period of 2 weeks