

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and First Legislature

OF THE

STATE OF MAINE

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The Knowlton and McLeary Company
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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the One Hundred and First Legislature

1963

pipes, hydrants, wires and cables ~~over~~, under the surface of and in those streets and highways in which ~~the above~~ such companies are empowered to obtain locations for their pipes, wires, hydrants and cables which have been ~~heretofore~~ located ~~over~~, under the surface of and in the streets and highways prior to January 1, 1962, and which shall be hereafter so located in accordance with ~~the provisions of the preceding section~~ this chapter, are valid and declared legal and the same shall henceforth be legal structures in said streets and highways until the location thereof shall have been changed in any manner required or authorized by law.'

Effective September 21, 1963

Chapter 253

AN ACT Providing for Trademarks Under Potato Tax Law.

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

R. S., c. 32, §§ 336 - 341, additional. Chapter 32 of the Revised Statutes is amended by adding 6 new sections, to be numbered 336 to 341, to read as follows:

'Trademarks under Potato Tax Law.

Sec. 336. Trademarks. In order to better carry out the objectives of the Potato Tax Law, the Maine Potato Commission may develop and register trademarks. The Commissioner of Agriculture may delegate to the Maine Potato Commission the authority to regulate the use of the State of Maine trademark when used in packaging potatoes, both fresh and processed.

Sec. 337. License. After notice of the establishment of a trademark by the commission, it shall be unlawful to use said trademark without first securing a permit or license from the Maine Potato Commission. Any violations of this section shall be punishable for the first offense by a fine of not more than \$50 and for any subsequent offenses by a fine of not more than \$200.

Sec. 338. Price. The Maine Potato Commission shall have the authority to set prices on trademarked potatoes sold by licensed shippers or processors.

Sec. 339. Buy and sell. In order to promote the prosperity of this State and of the potato industry by fostering and promoting better methods of production, processing, merchandising and advertising, the Maine Potato Commission shall have the authority to buy and sell potatoes or processed potato products.

Sec. 340. Rules and regulations; contract. The Maine Potato Commission may prescribe rules and regulations for carrying out the purposes of sections 336 to 339, and may issue licenses to shippers or processors who shall enter into a contract with the commission and agree to abide by the rules and regulations. The commission may charge a fee on a per package or per hundred-weight basis for the use of trademarks established by the commission or of the State of Maine trademark used on potatoes, fresh or processed. The commission shall reserve the right to cancel any license for failure to abide by the

rules and regulations of the commission, or for breach of the terms of any contract entered into with the commission; and the commission shall have the right to cancel all outstanding licenses at any time that the commission deems such action necessary to the best interest of the potato industry as a whole. The commission shall also have the right to grant an exclusive license for the use of such trademarks to a single co-operative which shall, by contract with the commission, be empowered to issue licenses to shippers and processors on such terms and conditions as the commission may require.

Sec. 341. Enforcement; jurisdiction. The commission or a duly authorized representative may recover penalties imposed for violation of section 337 in a civil action brought in the name of the commission, and if it prevails in such action shall recover full costs; or the commission may prosecute for violations thereof by complaint or indictment. The District Court and the Superior Court shall have concurrent jurisdiction of actions brought for the recovery of penalties imposed by section 337, and of prosecutions for violations thereof. All fines received under section 337 by county treasurers shall be paid by them to the Treasurer of State and the same are appropriated for carrying out sections 336 to 340.'

Effective September 21, 1963

Chapter 254

AN ACT Providing for Voting by New Residents in Presidential Election.

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

R. S., c. 3-A, §§ 29-A - 29-O, additional. Chapter 3-A of the Revised Statutes, as enacted by section 1 of chapter 360 of the public laws of 1961, is amended by adding 15 new sections, to be numbered 29-A to 29-O, to read as follows:

'New Residents in Presidential Election.

Sec. 29-A. Eligibility of new residents to vote. Each citizen of the United States who immediately prior to his removal to this State was a citizen of another state and who has been a resident of this State for less than 6 months prior to a presidential election is entitled to vote for presidential and vice-presidential electors at that election, but for no other offices, if

I. Qualifications. He otherwise possesses the substantive qualifications to vote in this State, except the requirement of residence and registration; and

II. Compliance. He complies with sections 29-A to 29-O.

Sec. 29-B. Application for presidential ballot by new residents. A person desiring to qualify under sections 29-A to 29-O in order to vote for presidential