

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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PUBLIC LAWS
OF THE
STATE OF MAINE

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at the pleasure of said respective sheriffs and whose special duty shall be to enforce the criminal laws in said counties and who shall receive as compensation therefor the sum of ~~\$11~~ \$12 per day and such additional pay as the respective county commissioners may approve, to be paid from the respective county treasuries, together with such incidental expenses as may be necessary for the proper enforcement of said laws; bills for which shall be audited as provided in chapter 150, section 2. Such full-time deputy sheriffs shall not receive more than ~~\$77~~ \$84 and chief deputies shall not receive more than \$91 in the aggregate for any one week, except that this limitation shall not apply to Cumberland County and York County.'

Effective September 21, 1963

Chapter 331

AN ACT Relating to Age in Criminal Offenses.

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

Sec. 1. R. S., c. 130, § 10, amended. Section 10 of chapter 130 of the Revised Statutes is amended to read as follows:

'**Sec. 10. Rape, defined.** Whoever ravishes and carnally knows any female ~~of 14 or more years of age~~ who has attained her 14th birthday, by force and against her will, or unlawfully and carnally knows and abuses a female child ~~under 14 years of age who has not attained her 14th birthday~~, shall be punished by imprisonment for any term of years.'

Sec. 2. R. S., c. 130, § 11, amended. Section 11 of chapter 130 of the Revised Statutes is amended to read as follows:

'**Sec. 11. Carnal knowledge of girls between 14 and 16 years.** Whoever, ~~being more than 18 years of age~~ having attained his 18th birthday, has carnal knowledge of the body of any female child ~~between the ages of 14 and 16 years~~ who has attained her 14th birthday but has not attained her 16th birthday shall be punished by a fine of not more than \$500 or by imprisonment for not more than 2 years. ~~The provisions of this~~ This section shall not apply to cases of rape as defined in section 10.'

Sec. 3. R. S., c. 130, § 12, amended. Section 12 of chapter 130 of the Revised Statutes is amended to read as follows:

'**Sec. 12. Assault with intent to commit rape.** Whoever assaults a female ~~of 14 years of age or more~~ who has attained her 14th birthday with intent to commit a rape shall be punished by a fine of not more than \$500 or by imprisonment for not more than 10 years. If such assault is made on a female ~~under 14 years~~ who has not attained her 14th birthday, such imprisonment shall be for not less than one year nor more than 20 years.'

Sec. 4. R. S., c. 130, § 15, amended. Section 15 of chapter 130 of the Revised Statutes, as amended by section 452 of chapter 317 of the public laws of 1961, is further amended to read as follows:

Sec. 15. Shipmasters, carrying apprentices and minors out of State. If the master of a vessel carries out of the State an apprentice, indented servant or person ~~under 21 years of age who has not attained his 21st birthday~~, without the consent of his parent, master or guardian, he shall be punished by a fine of not more than \$200; and be liable in a civil action to such parent, master or guardian for all damages thereby sustained.'

Sec. 5. R. S., c. 130, § 29, amended. Section 29 of chapter 130 of the Revised Statutes is amended to read as follows:

'**Sec. 29. Maliciously vexing or tormenting another by a person more than 16 years of age.** Whoever ~~being more than 16 years of age having attained his 16th birthday~~ willfully and wantonly or maliciously vexes, irritates, harasses or torments any person in any way, after having been forbidden to do so by any sheriff, deputy sheriff, constable, police officer or justice of the peace, and whoever without reasonable cause or provocation willfully and wantonly or maliciously vexes, irritates, harasses or torments any person by communications to or conversation with such person over or by means of any telephone, when such offense is of a high and aggravated nature, shall be deemed guilty of a felony and on conviction thereof shall be punished by a fine of not more than \$500 or by imprisonment for not more than 2 years; but when such offense is not of a high and aggravated nature, shall be deemed guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not more than \$100 or by imprisonment for not more than 11 months.'

Sec. 6. R. S., c. 132, § 7, amended. The first sentence of section 7 of chapter 132 of the Revised Statutes is amended to read as follows:

'If an officer, agent, clerk or servant of a person, copartnership or corporation, ~~not an apprentice nor except an apprentice or a person not less than 16 years of age having attained his 16th birthday~~, embezzles or fraudulently converts to his own use, or takes and secretes with intent to do so, without the consent of his employer or master, any property of another in his possession or under his care, by virtue of his employment; or, if a public officer, collector of taxes, or an agent, clerk or servant of a public officer or tax collector, embezzles or fraudulently converts to his own use, or loans or permits any person to have or use for his own benefit without authority of law, any money in his possession or under his control by virtue of his office or employment by such officer, he is guilty of larceny and shall be punished accordingly; ~~and whoever~~. Whoever knowingly receives from a public officer, collector of taxes, or his clerk, servant or agent, with intent to convert the same to his own use without authority of law, any money in the possession or under the control of such officer by virtue of his office, is guilty of larceny and shall be punished accordingly.'

Sec. 7. R. S., c. 134, § 6, amended. Section 6 of chapter 134 of the Revised Statutes, as amended by chapter 60 of the public laws of 1961, is further amended to read as follows:

'**Sec. 6. Indecent liberties.** Whoever, ~~being 21 years or more of age having attained his 21st birthday~~, takes any indecent liberty or liberties or indulges in any indecent or immoral practice or practices with the sexual parts or organs

of any other person, male or female, ~~under the age of 16 years who has not attained his or her 16th birthday~~, either with or without the consent of such male or female person, or, whoever, ~~being 21 years or more of age having attained his 21st birthday~~, induces or procures any person ~~under the age of 16 years who has not attained his or her 16th birthday~~ to take any indecent liberty or liberties or to indulge in any indecent or immoral practice or practices with the sexual parts or organs of any person, male or female, other than the said person ~~under the age of 16 years who has not attained his or her 16th birthday~~, shall, upon conviction thereof, be punished by imprisonment at hard labor for not less than one year nor more than 10 years.'

Effective September 21, 1963

Chapter 332

AN ACT Revising the Laws Relating to Apothecaries and the Sale of Poisons.

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

Sec. 1. R. S., c. 68, § 1, sub-§ III, amended. Subsection III of section 1 of chapter 68 of the Revised Statutes, as amended by section 1 of chapter 304 of the public laws of 1957, is further amended to read as follows:

III. Inspection; analysis; sales. To inspect during business hours all apothecaries, dispensaries, stores or places in which drugs or medicines are manufactured, stored, distributed, compounded, dispensed or retailed, and to regulate and control the sale, character and standard of all drugs, poisons and medicines compounded ~~or~~, dispensed or distributed in this State; to secure samples and cause them to be analyzed; and to prevent the sale of such drugs, poisons or medicines as do not conform to ~~the provisions of~~ this chapter;'

Sec. 1-A. R. S., c. 68, § 6, amended. The first sentence of section 6 of chapter 68 of the Revised Statutes, as amended by section 5 of chapter 304 of the public laws of 1957, is further amended to read as follows:

'Every person not already registered, entering upon the ~~business of an apothecary~~ practice of pharmacy, upon the payment of a fee of \$25 to the secretary of said board, except as otherwise provided, shall be examined by said commissioners and shall present to them satisfactory evidence that he had been graduated from some regularly incorporated college of pharmacy and has been employed in ~~such~~ an apothecary store for at least one year, and is competent for the ~~business~~ practice of pharmacy.'

Sec. 2. R. S., c. 68, § 9, amended. The last paragraph of section 9 of chapter 68 of the Revised Statutes, as amended by section 26 of chapter 394 of the public laws of 1961, is further amended to read as follows:

'The said board shall make such rules and regulations not inconsistent with the law as may be necessary to carry out the purposes and enforce this section, and is authorized, after notice and opportunity for hearing in the county in which