

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

1963

1. ~~\$1,350~~ \$1,465, if the member has at least 35 years of creditable service as a teacher;
2. ~~\$1,250~~ \$1,365, if the member has at least 30 but less than 35 years of creditable service as a teacher; or
3. ~~\$1,150~~ \$1,265, if the member has at least 25 but less than 30 years of creditable service as a teacher.'

Sec. 2. R. S., c. 63-A, § 6, sub-§ II, ¶¶ C-1 - C-2, **additional.** Subsection II of section 6 of chapter 63-A of the Revised Statutes, as enacted by section 1 of chapter 417 of the public laws of 1955, and as amended, is further amended by inserting after paragraph C, 2 new paragraphs C-1 and C-2, to read as follows:

'C-1. The total amount of the annual service retirement allowance of any member retired in accordance with subsections I and V who has taught in the public schools shall be at least equal to the following:

1. \$600, if the member has at least 20 but less than 25 years of creditable service as a teacher.

C-2. Any teacher now or hereafter retired who is receiving a veterans administration benefit may elect to receive, or not receive, any additional benefit under this chapter if it affects the receiving of any such veterans administration benefit.'

Sec. 3. Appropriation. There is appropriated to the Maine State Retirement System from the General Fund the sum of \$78,788 for the fiscal year ending June 30, 1964 and the sum of \$105,050 for the fiscal year ending June 30, 1965 to carry out the purposes of this act.

Sec. 4. Effective date. This act shall become effective on October 1, 1963.

Effective October 1, 1963

Chapter 366

AN ACT Providing for Trademarks Under Maine Sardine Tax Law.

Preamble. Whereas, the packing of sardines is one of the most important industries of the State; and

Whereas, the packers and the Maine Sardine Council have widely advertised Maine sardines and have substantially improved the quality of this important Maine product, which improvements have proved to be an aid to merchandising Maine sardines and expanding the market therefor; and

Whereas, the economic and general welfare of not only certain maritime communities and counties in Maine is materially affected by the condition of this industry, but also those of the people of the State as a whole; and

Whereas, strengthening of this important Maine industry will also benefit those engaged in the Maine fishing industry supplying the packers of sardines and other Maine industries supporting the sardine industry; and

Whereas, better and more expensive processing, packaging, advertising and promotional methods are necessary to further broaden markets and increase the sale of Maine sardines to preserve the industry; and

Whereas, new markets and increased sales will benefit not only this industry as a whole and the State as a whole but will also make available to all who wish to enter this industry prospects for a wider market for their product.'

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

R. S., c. 32, §§ 267-B — 267-G, additional. Chapter 32 of the Revised Statutes is amended by adding 6 new sections, to be numbered 267-B to 267-G, to read as follows:

‘Trademarks Under Maine Sardine Tax Law.

Sec. 267-B. Trademarks. In order to carry out better the objectives of the Maine Sardine Tax Law, the Maine Sardine Council may develop and register trademarks. The Commissioner of Agriculture may delegate to the Maine Sardine Council the authority to regulate the use of the State of Maine trademark when used in the processing and sale of Maine sardines.

Sec. 267-C. License. After notice of establishment of a trademark by the council, it shall be unlawful to use such trademark without first securing a permit or license from the Maine Sardine Council. Any violations of this section shall be punishable for the first offense by a fine of not more than \$50 and for each subsequent offenses a fine of not more than \$200.

Sec. 267-D. Price. The Maine Sardine Council shall have the authority to establish minimum prices for which canned sardines bearing a council regulated trademark may be sold by a processor.

Sec. 267-E. Rules and regulations. The Maine Sardine Council may prescribe rules and regulations for carrying out the purposes of sections 267-B to 267-G, and may issue licenses to processors who request authority to use the trademark and who shall abide by such rules and regulations. The council may charge a fee on a case basis for the use of trademarks established by the council or of the State of Maine trademark used on canned sardines. The council shall have the right to cancel any license, for a period of time to be determined by the council, for failure to abide by the rules and regulations prescribed by the council; and the council shall have the right to cancel all outstanding licenses at any time that the council deems such action necessary to the best interest of the sardine industry as a whole.

Sec. 267-F. Fees. All fees charged for use of the trademarks and from the issuance of licenses shall be paid to the Treasurer of State and the same are appropriated for carrying out sections 267-B to 267-G, and for promoting the prosperity of this State and the sardine industry by fostering and promoting better methods of processing, merchandising and advertising of Maine sardines under the direction of the Maine Sardine Council.

Sec. 267-G. Enforcement; jurisdiction. The council or a duly authorized representative may recover penalties imposed for violation of section 267-C in a civil action brought in the name of the council, and if it prevails in such action shall recover full costs; or the council 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 267-C, and of prosecutions for violations thereof. All fines received under section 267-C by county treasurers shall be paid by them to the Treasurer of State and the same are appropriated for carrying out sections 267-B to 267-G.'

Effective September 21, 1963

Chapter 367

AN ACT Providing for Public Facilities for Boats.

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

Sec. 1. R. S., c. 38-C, additional. The Revised Statutes are amended by adding a new chapter 38-C, to read as follows:

'Chapter 38-C.

Public Facilities for Boats.

Sec. 1. Director of Maine State Park and Recreation Commission; duties. The Director of the Maine State Park and Recreation Commission, with the advice of the Maine State Park and Recreation Commission, shall acquire, construct and maintain, within the funds available, public facilities for boats in the waters of the State, including but not limited to launching ramps, parking sites and access roads. Waters of the State means any waters within the territorial limits of the State, and the marginal sea adjacent to the State.

The Director of the Maine State Park and Recreation Commission shall decide where the facilities shall be located and which facilities shall be constructed by the Highway Department.

Sec. 2. Boating Facilities Fund. There is hereby created within the Maine State Park and Recreation Commission a Boating Facilities Fund, to which shall be credited 3.5c of the tax paid on fuel used in pleasure motor boats which is not