

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Fifth 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  
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**Sec. 7. R. S., T. 29, § 782, sub-§ 1, amended.** Subsection 1 of section 782 of Title 29 of the Revised Statutes is amended to read as follows:

1. **Suspension of licenses.** Upon receipt of an abstract of the record in case of conviction of any person for a violation of any state law relative to motor vehicles, the Secretary of State, in his discretion, may forthwith suspend the license of the person so convicted and the registration certificates and registration plates issued for any motor vehicle, trailer or semitrailer registered in the name of such person unless and until such person gives and thereafter maintains for a period of 3 years proof of his financial responsibility in the limits of \$20,000 each individual, \$40,000 any one accident resulting in injury or death to one or more persons and \$10,000 for damage to property of others. The Secretary of State shall take action as required in this section upon receiving proper evidence of any such conviction of any person in another state.

**Sec. 8. R. S., T. 29, § 1362, amended.** The 2nd sentence of section 1362 of Title 29 of the Revised Statutes is amended to read as follows:

Every such motor vehicle shall have brakes adjusted so as to stop 2-wheel brake vehicles at a speed of 20 miles per hour within a distance of 45 feet and 4-wheel brake vehicles within 30 feet, **excepting motorcycles and motor driven cycles, which at all times and under all conditions of loading, shall have brakes adjusted so as to stop such vehicles within a distance of 30 feet from a speed of 20 miles per hours.**

**Sec. 9. R. S., T. 29, § 2301-A, amended.** Section 2301-A of Title 29 of the Revised Statutes, as enacted by section 2 of chapter 339 of the public laws of 1969, is amended to read as follows:

**§ 2301-A. Suspension on nonappearance**

If a person fails to appear in court on the day specified in response to a summons or order of court for any violation of any provision of this Title, either in person or by counsel, court shall notify the Secretary of State, who may suspend or revoke his license, if licensed in this State, or suspend or revoke his right to operate motor vehicles in this State, if a nonresident and not licensed in this State.

Effective September 23, 1971

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## Chapter 395

### AN ACT Relating to Powers and Duties of Personnel of the Forestry Department.

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

**Sec. 1. R. S., T. 12, § 501-B, repealed.** Section 501-B of Title 12 of the Revised Statutes, as enacted by section 3 of chapter 226 of the public laws of 1965, is repealed.

**Sec. 2. R. S., T. 12, § 516, repealed.** Section 516 of Title 12 of the Revised Statutes, as amended, is repealed.

Sec. 3. R. S., T. 12, § 519, additional. Title 12 of the Revised Statutes is amended by adding a new section 519 to read as follows:

§ 519. Coordinating protective agencies

The commissioner shall formulate emergency plans of action to establish manpower pools, equipment reserves, facilities for feeding, transportation and communication on forest fires. In preparing the plan other agencies and organizations having needed facilities should be contacted such as fire chiefs, civil defense units, Red Cross, sheriffs, American Legion, State Police, National Guard, State Highway Department, State Inland Fisheries and Game Department, State Grange, colleges, civil air patrol and any other protective group as determined by the commissioner. Whenever or wherever a major forest fire occurs or threatens, the department shall be the coordinating agency until the Governor declares an emergency.

Sec. 4. R. S., T. 12, c. 201, sub-c. II, additional. Chapter 201 of Title 12 of the Revised Statutes, as amended, is further amended by adding a new subchapter II to read as follows:

## SUBCHAPTER II

### PERSONNEL

§ 521. Appointment of personnel

The commissioner shall appoint, subject to the Personnel Law, a Deputy Forest Commissioner, a State Entomologist, foresters, officers, forest rangers and other expert and clerical assistants as may be necessary. All forest rangers shall be sworn to the faithful discharge of their duties and all persons employed by him shall not be concerned directly or indirectly in the purchase of state lands, nor of timber or grass growing or cut thereon except in their official capacity. They may be allowed actual necessary expenses of travel. Whenever the term "commissioner" is used in chapters 201 to 215 it shall include his agents and representatives.

§ 522. Duties of foresters

Foresters under the direction of the commissioner shall provide technical guidance and service to small woodland owners and processors to bring about improvement in the growing, harvesting, marketing and utilization of forest products.

Whenever foresters are used to practice forest management on lands belonging to the State and on Township numbered 2 on the St. Croix River, called the Indian Township, reimbursement for the time and expenses of the foresters, advertising of stumpage and similar expenses incidental thereto shall be deducted from the income received from the sale of stumpage before it is credited to the department that has administration of said lands.

§ 523. General deputy wardens

The commissioner may appoint general deputy wardens as an adjunct to the personnel regularly employed in the forest fire control program. They

shall aid in forest fire prevention and shall take immediate action to control any unauthorized forest fires, employ assistance when required and notify the nearest forest ranger or town forest fire warden with dispatch. Such general deputy wardens and those they employ may receive the prevailing local fire fighting wages for the period so engaged.

#### § 524. Duties of forest rangers

Forest rangers under the direction of the commissioner shall have supervision of the forest fire protection program, including all personnel and facilities of all types. They shall investigate and gather evidence regarding the causes of fires, enforce all laws relating to forest and forest preservation, cause the arrest of all violators thereof, prosecute all offenses against the same, and in this connection shall have the same power to serve criminal process against such offenders as a sheriff or his deputy, and shall have and enjoy the same rights as a sheriff to require aid in executing the duties of their office, including the right to deputize temporary aides.

They shall have final authority and responsibility for the control and extinguishment of forest fires.

They shall be responsible for carrying out a comprehensive program of forest fire prevention education and train men at all levels of command to meet supervisory needs during forest fire emergencies. They shall prepare and revise annually a forest fire plan for each administrative unit, incorporating annual forest fire plans of municipalities wherein town forest fire wardens are appointed as provided in Title 25, section 2501. They shall coordinate the use of all forest fire fighting resources and carry out such other duties as may be assigned by the commissioner.

Sec. 5. R. S., T. 12, § 1203, repealed and replaced. Section 1203 of Title 12 of the Revised Statutes, as last amended by chapter 339 of the public laws of 1967, is repealed and the following enacted in place thereof:

#### § 1203. Control and extinguishment of fires; lookout stations

The commissioner shall be responsible for the prevention, control and extinguishment of forest fires in the Maine Forestry District. To this end he shall establish such administrative divisions within such district as he deems necessary, construct and maintain roads, trails, lookout towers, storehouses, living quarters and other necessary facilities and provide and maintain necessary equipment.

The commissioner may construct and maintain public campsites in said district and may establish a schedule of fees for the use thereto.

Sec. 6. R. S., T. 12, § 1254, repealed. Section 1254 of Title 12 of the Revised Statutes, as repealed and replaced by section 38 of chapter 226 of the public laws of 1965, is repealed.

Sec. 7. R. S., T. 12, § 1255, repealed and replaced. Section 1255 of Title 12 of the Revised Statutes, as amended by section 39 of chapter 226 of the public laws of 1965, is repealed and the following enacted in place thereof:

§ 1255. Control and extinguishment of forest fires

Responsibility for the control and extinguishment of forest fires in municipalities outside the Maine Forestry District lies in the first instance with the town forest fire wardens appointed for such municipalities by the commissioner. When in the judgment of a forest ranger the situation so warrants, he may relieve a town forest fire warden of responsibility for control and extinguishment of a forest fire within a municipality, and assume responsibility therefor. Final authority and responsibility for the control and extinguishment of a forest fire shall be that of the forest ranger.

Municipal fire department personnel and equipment shall not be moved within or without municipal limits upon the order of a town forest fire warden or a forest ranger except with the approval of the fire chief or proper municipal official having authority to grant such approval.

Forest rangers shall have the authority to set backfires to control a going forest fire.

Sec. 8. R. S., T. 12, § 1255-A, repealed. Section 1255-A of Title 12 of the Revised Statutes, as enacted by section 40 of chapter 226 of the public laws of 1965, is repealed.

Sec. 9. R. S., T. 12, § 1256, repealed. Section 1256 of Title 12 of the Revised Statutes, as amended by section 41 of chapter 226 of the public laws of 1965, is repealed.

Sec. 10. R. S., T. 12, §§ 1301 - 1302, repealed. Sections 1301 and 1302 of Title 12 of the Revised Statutes, as repealed and replaced by section 42 of chapter 226 of the public laws of 1965, is repealed.

Sec. 11. R. S., T. 5, § 711, sub-§ 9, repealed. Subsection 9 of section 711 of Title 5 of the Revised Statutes is repealed as follows:

~~9. Maine forestry District. All officers and employees of the Maine Forestry District.~~

Effective September 23, 1971

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## Chapter 396

### AN ACT Relating to Excise Tax on Motor Vehicles.

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

R. S., T. 36, § 1482, sub-§ 6, ¶ C, amended. Paragraph C of subsection 6 of section 1482 of Title 36 of the Revised Statutes is amended to read as follows:

C. Where a property tax is paid and later registration of the vehicle is desired, ~~a personal property or real estate tax receipt shall be accepted by the registering agency in lieu of an excise tax receipt, provided such tax receipt contains sufficient information to identify the vehicle~~ the property tax paid shall be allowed as a credit on the excise tax.

Effective September 23, 1971