

MAINE STATE LEGISLATURE

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ONE - HUNDRETH LEGISLATURE

Legislative Document

No. 1139

H. P. 824

House of Representatives, February 1, 1961

Referred to Committee on Legal Affairs. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Knight of Rockland, by request.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-ONE

AN ACT Relating to Archaeological Excavation.

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

R. S., c. 36, §§ 41-A - 41-G, additional. Chapter 36 of the Revised Statutes is amended by adding 7 new sections to be numbered 41-A to 41-G, to read as follows:

‘Archaeological Excavation.

Sec. 41-A. State license required to excavate. Any person, firm or corporation before making any exploration or excavation of any prehistoric ruins or archaeological or vertebrate paleontological site in this State shall make application to the State Park Commission, in such form as the commission shall prescribe, accompanied by the written recommendation and approval of the State Historian relating to the proposed operations in the location designated, together with a license fee of \$50. A license therefor may be granted by the commission under such terms and conditions as it may require, which shall expire on December 31st of each year. Licenses shall not be granted unless the commission is satisfied with the scientific fitness of the applicant to make archaeological or paleontological investigations, explorations or excavations and until a thorough investigation has been made by the commission as to the purpose, place and condition of the proposed exploration or excavation.

Sec. 41-B. License to accurately describe site. Each license issued by the commission shall accurately describe the location and site of the ruins or deposits where the exploration or excavation is to be conducted, and shall authorize explorations or excavations only at the single described location.

Sec. 41-C. Revocation of licenses. Any license may be revoked by the commission at any time upon being convinced that explorations or excavations authorized by the license are being conducted unlawfully or improperly.

Sec. 41-D. Reports. Any person or corporation engaged in making explorations or excavations under sections 41-A to 41-G shall file a report with the State Park Commission in the month of January following the year such exploration or excavation was permitted, setting forth the location of the exploration or excavation, an inventory of archaeological objects removed and such other information as the commission shall prescribe.

Sec. 41-E. Explorations not to deface or injure remains. No explorations or excavations shall be made, which will destroy, deface, permanently injure such remains; and after any such explorations or excavations, they shall be restored to the same or like conditions as before such explorations or excavations were made.

Sec. 41-F. Export of archaeological objects prohibited. The export or disposition of historic and scientific material referred to in sections 41-A to 41-G, to individuals or institutions outside the State is expressly forbidden, except by permission of the State Park Commission, approved by the State Historian.

Sec. 41-G. Penalty. Any person, firm or corporation violating sections 41-A to 41-F shall be punished by a fine of not more than \$500, or by imprisonment for not more than 90 days, or by both.'