

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-sixth Legislature

OF THE

STATE OF MAINE

From April 4, 1931, to March 31, 1933

AND MISCELLANEOUS STATE PAPERS

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eighty-sixth Legislature

1933

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this chapter may be recovered by complaint, indictment, or action of debt made or brought in the county where the offense was committed. The action of debt shall be brought in the name of the state. All fines, penalties, and collections under this chapter, except when otherwise expressly provided, shall forthwith be paid to the commissioner of sea and shore fisheries and by him the same shall be paid to the treasurer of state to be added to and made a part of the appropriation for sea and shore fisheries. And the said commissioner shall report to the treasurer of state the amount of each fine, penalty and collection itemized, and the name of the party paying the same, which shall be kept on record in the office of the treasurer.

Sec. III. Provisions of certain laws incorporated into rules and regulations. All of the private and special laws affecting the time, manner and conditions in and under which fish, shellfish and lobsters may be taken from the tidewaters within the state, and the following public laws: 1915, c. 116; 1925, cc. 32, 152, 157, 158; 1927, cc. 9, 10, 46; 1929, cc. 29, 30, 38, 46, 47, 48, 56, 63, 99, 109, 130, 148, 278; 1931, cc. 47, 83, 86, 95, 119, 196, 217, 264; are hereby repealed, and the commissioner of sea and shore fisheries is hereby directed to incorporate their provisions into the rules and regulations of the department.

Sec. IV. Interpretation of act. It is hereby declared that it is the intent of this legislature that none of the provisions of this act shall be held to supersede any provisions of other acts passed at this session, and that all other acts passed at this session affecting law herein are intended to be amendatory hereof.

It is also declared to be the intent of this legislature that all departments, bureaus, offices, and heads and officers thereof, boards, commissions, etc., and members thereof mentioned or described in this act that have been heretofore established or appointed and are now in existence or office, are hereby continued in effect or in office under the same terms and conditions as originally established or appointed, under the provisions of law.

Approved March 23, 1933.

Chapter 3.

AN ACT to Amend Section 110 of Chapter 5, Revised Statutes of Maine for 1930.

Emergency Preamble. Whereas, a distressing condition of unemployment exists in parts of the state including Mount Desert Island whereon Acadia National Park is principally located. An offer has been made to promptly build, without cost to the state or any town, some fourteen miles

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of road mainly crossing such National Park. Such building is obstructed and unless this act is passed will be prevented by the action of the owners of a lot containing five acres, not used by them as a residence, but essential to the road, which owners have repeatedly refused to sell the lot for park purposes. The passage of this act will, it is believed, bring about the building of the road and thus give employment to a large number of idle men with needy families.

Whereas, in the judgment of the Legislature these facts create an emergency within the meaning of section sixteen of article thirty-one of the constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety, now therefore,

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

Sec. 1. R. S., c. 5, § 110 amended. Section 110 of chapter 5 of the revised statutes is hereby amended by adding thereto the following: 'When land under this section, is taken for a public park, the fee of such land may be taken and compensation assessed and paid accordingly. Land in any town so taken for a public park may by authority of a majority vote at a town meeting be transferred and conveyed to the Federal Government so as to become a part of a National Park. Nothing herein shall be held to deprive the former land owners from proceeding to restrain the use of such land for other than public park purposes.'

Sec. 2. Emergency clause. In view of the emergency recited in the preamble, this act shall take effect when approved.

Approved January 25, 1933.

Chapter 4.

AN ACT Relating to Appointment of Agent by Non-Resident Mortgagee.

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

Appointment of agent by non-resident mortgagee. Section 5 of chapter 105 of the revised statutes is hereby amended to read as follows:

'**Sec. 5. Notice shall be recorded; mortgagee out of state shall appoint agent to receive satisfaction.** The notice with an affidavit of service or the official return of service of any officer qualified to serve civil process, or a copy of the last publication, with the name and date of the paper containing it, shall be recorded where the mortgage is recorded, and the copy of such record is evidence that the notice has been given. If the mortgagee or his assignee is not a resident of the state, he shall at the time of recording such notice, unless said non-resident mortgagee has an