

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-fourth Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS
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STATE OF MAINE

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commissioner. A fee of \$2 shall be paid by the trapper for each skin tagged and marked.

In case said beaver skins are libeled under the provisions of this chapter, and the libel is, for any reason, quashed or ruling thereon is against the state, or in case any complaint or indictment involving said skins results in a verdict for the defendant, said skins shall on request and payment of the \$2 fee be immediately tagged, marked and delivered to the person entitled to possession of the same.

All beaver skins shall be presented for tagging and marking within 10 days from the closing of the so-called open season. All beaver which are not tagged and marked in accordance with the provisions of this section shall be seized and confiscated by the wardens.

Any beaver skin or beaver skins that come into this state in any manner from any other state or country shall have the official stamp, tag or seal of the state or country from which said skin or skins were taken.

No person, except as hereinbefore provided, shall molest or destroy any beaver dam. No person shall molest or destroy any beaver house or set any trap within 25 feet of the same. No person shall set or tend any trap within 25 feet of any beaver dam.'

Effective August 6, 1949

Chapter 207

AN ACT Concerning Harbor or River Improvements and Protection of Property Against Floods or Erosion.

Emergency preamble. Whereas, the Congress of the United States has approved certain projects as described in House Document No. 510, 79th Congress, 2nd Session, in connection with the development and improvement of New England rivers and harbors; and

Whereas, one of said projects is the dredging of the harbor at Portland, Maine; and

Whereas, the completion of said project is expressly conditioned upon local interests, to wit, local cities and towns agreeing to hold and save the United States free and harmless from damages due to construction and maintenance of said work; and

Whereas, the cities of Portland and South Portland are without authority to execute any agreement to free the United States from any liability in connection with this project; and

Whereas, the United States proposes to begin said project early in the spring of 1949 through its government contractors under supervision of the corps of engineers; and

Whereas, this project has been approved by the governor of Maine under the River and Harbor Act of 1945; and

Whereas, in the judgment of the legislature, these facts create an emergency within the meaning 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:

R. S., c. 80, §§ 115-A - 115-F, additional. Chapter 80 of the revised statutes is hereby amended by adding thereto 6 new sections, to be numbered 115-A to 115-F, inclusive, to read as follows:

'Harbor or River Improvements'

Sec. 115-A. Harbor or river improvements. Any municipality in the state, by action of its legislative body, is authorized to negotiate, cooperate and enter into agreements with the United States and this state in order to satisfy the conditions imposed by the United States in authorizing any project for the improvement of navigation of any harbor or river and for protection of property against damage by floods or by erosion, provided such project shall have been approved by the governor.

Sec. 115-B. Joint action by municipalities. When any such improvement or protection project is located within 2 or more municipalities, such municipalities are authorized to undertake jointly any such action as is authorized by section 115-A.

Sec. 115-C. Condemnation; appropriations; bonds. In order to carry out the intent of sections 115-A to 115-F, inclusive, any municipality is authorized to acquire by condemnation any land, easements or rights-of-way required for any such improvement or protection project, and any municipality is authorized to make appropriations and to expend funds, in the manner provided by law, for any such improvement or protection project, and to issue bonds or other evidences of debt, subject to statutory limitations, for any such improvement or protection project.

Sec. 115-D. Federal government not liable for claims or damages. The governor, with the advice and consent of the council, is authorized to give assurances that the state will hold and save harmless the United States

free from claims or damages resulting from such improvement or protection project and to enter into an agreement with the federal government for such purpose.

Sec. 115-E. State's share of expense. When an appropriation has been made by the legislature for such purpose, the governor, with the advice and consent of the council, is authorized to provide for the payment by the state of not more than $\frac{1}{2}$ of the cash contribution required by the federal government for any such improvement or protection project.

Sec. 115-F. Investigations. The governor, with the advice and consent of the council, is authorized to designate any state agency to make such investigation as is deemed necessary in connection with any such improvement or protection project.'

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

Effective April 8, 1949

Chapter 208

AN ACT Relating to Tuberculosis Control.

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

Sec. 1. R. S., c. 22, § 85-A, additional. Chapter 22 of the revised statutes is hereby amended by adding thereto a new section to be numbered 85-A, to read as follows:

'Sec. 85-A. Control of tuberculosis. The department of health and welfare is empowered to make such investigations as may be necessary to ascertain the source of any infectious or communicable disease. Whenever said department has cause to believe that any person is infected with tuberculosis so as to expose others to the dangers thereof, said department by its representative shall petition a justice of the superior court in the county where said person resides or is found, setting forth said facts and requesting an examination of such person. Said justice, in term or vacation, may order such notice thereon as he may deem proper for such person to appear and answer thereto. Upon hearing, if said justice finds cause to believe that such person is so infected, he may issue an order requiring said person to be examined by a board of 3 physicians licensed to practice in this state at the expense of said department. Said board shall be comprised of the superintendent of one of the state sanatoriums, a physician chosen by