

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
OF THE
STATE OF MAINE

As Passed by the Ninety-fourth Legislature

1949

Chapter 422

AN ACT Relating to Cattle Tested for Bang's Disease.

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

R. S., c. 27, § 73, amended. Section 73 of chapter 27 of the revised statutes, as amended by section 2 of chapter 275 of the public laws of 1945, is hereby further amended to read as follows:

'Sec. 73. Cattle to be tested for "Bang's disease". For the eradication of Bang's disease, the commissioner or his agent in charge of live stock sanitary work shall have blood from the animals over 6 months of age in all herds in the state drawn by a regularly employed federal or state veterinarian or technician or an authorized, accredited veterinarian and tested at the state laboratory by what is known as the blood agglutination test, and all animals showing a positive reaction to this test shall be identified by a "reactor" eartag ~~or~~ and brand ~~or by both eartag and brand~~ and shall be slaughtered, or quarantined and handled under direct supervision of the commissioner or his agent ~~except vaccinated animals under 36 months of age~~. Animals showing a suspicious reaction to the blood agglutination test may be held on premises where found for 60 days and retested, or sold for slaughter only.'

Effective August 6, 1949

Chapter 423

AN ACT Relating to Primary Wood-Using Portable Sawmills, Spark Arrestors and Timber Reports.

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

R. S., c. 32, § 72, repealed and replaced. Section 72 of chapter 32 of the revised statutes, as amended by chapter 49 of the public laws of 1945, is hereby repealed and the following sections enacted in place thereof:

'Sec. 72. Licenses for primary wood-using portable sawmills; penalty.

I. Definition. This section shall apply to primary wood-using portable sawmills or portable plants which use wood products in log or bolt form and saws or processes them. All such mills which have not been in one location at least 1 year shall be termed portable. Location changes with-

in the previous year shall have no effect on this definition. Furthermore, all such mills are subject to license whether operated by steam power, internal combustion motors, or electricity.

II. License fee, change of location and ownership; penalty. It shall be unlawful for any primary wood-using portable sawmill in the state to operate without first obtaining a license from the forest commissioner. Application shall be made upon blanks prepared by the forest commissioner for this purpose, giving the name of the owner or owners, the location and type of mill, name and location of lot to be cut, and such other pertinent information as may be required. A proper record of all applications for licenses and all licenses issued shall be kept by the forest commissioner at his office and shall be open to inspection of any person during reasonable business hours. When said mill is located in towns or organized plantations of the state, outside the limits of the Maine forestry district, copy of licenses will be sent town forest fire wardens. The fee for such license shall be \$25, which shall be deposited at the time of making the application and made payable to the treasurer of state, and all such licenses shall expire 1 year from the date of their issue. The forest commissioner, or his representatives within the state, or town forest fire wardens within their towns, may at any time suspend or revoke any license for the violation of the slash laws; and the above officials may suspend such license in time of drought if the operation creates an extra forest fire hazard. The forest commissioner shall be notified by written application of changes of location or ownership and shall approve and grant such permits; failure to make application within 10 days shall mean suspension of license until rectified. The owner or operator of any primary wood-using portable sawmill can move one or more times within the year of the license issued, or show transfer of ownership without any additional fee. The forest commissioner shall authorize his representatives and town forest fire wardens of their towns to periodically inspect all primary wood-using portable sawmills. Such inspection shall be in the nature of friendly public forest fire prevention contacts and to correct or report any violation of the provisions of this section. Any primary wood-using portable sawmill so operated without a license shall be deemed a public nuisance without other proof than its use.

All money accruing from the issuance of licenses as provided for in this subsection shall be added to and become a part of the fund for general forestry purposes.

Whoever operates a primary wood-using portable sawmill without first obtaining a license from the forest commissioner as provided in this

subsection shall be punished by a fine of not more than \$100, or by imprisonment for 30 days, or by both such fine and imprisonment.

III. Hazard clearance. The granting and holding of such licenses is conditional on keeping any slash, hereafter caused by wood and timber cutting, removed for a distance of 50 feet in all directions from the mill, sawdust pile and incinerator; live trees need not be removed from the cleared area except that dead and green branches of conifers or evergreen trees shall be pruned to a height of 10 feet above the ground; dead snags shall also be removed. The area for the sawdust pile shall be clear of all trees and located not less than 25 feet from an incinerator. The sawdust pile shall be reasonably free of slabs and edgings.

IV. Forest fire tool cache. All primary wood-using portable sawmills, subject to license hereunder, shall be equipped with such forest fire fighting equipment as the forest commissioner shall specify provided that the cost to the owner or operator does not exceed \$25 for each mill. All such forest fire fighting tools shall be kept in good condition in a tool cache within 50 feet of the mill.

Sec. 72-A. Yearly timber cut report; penalty. Owners or operators of all primary wood-using sawmills, stationary or portable, shall render an annual report to the forest commissioner during the month of January of each year of the amount of softwoods and hardwoods sawed within the state by or for them during the preceding calendar year. Forms for this report shall be provided by the forest commissioner. Information contained in said reports shall not be made public in so far as the same applies to individuals.

Effective August 6, 1949

Chapter 424

AN ACT Relating to Salaries of Somerset County Officers.

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

Sec. 1. R. S., c. 79, § 114, amended. That part of section 114 of chapter 79 of the revised statutes which relates to the salary of the clerk of courts of Somerset county, as amended by section 2 of chapter 280 of the public laws of 1945, is hereby further amended to read as follows:

'Somerset, ~~\$2,800~~ \$3,000.'