

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

AS PASSED BY THE

## Ninety-fifth Legislature

OF THE

# STATE OF MAINE

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**PUBLIC LAWS**

OF THE

**STATE OF MAINE**

As Passed by the Ninety-fifth Legislature

**1951**

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of trades or such regions justify such establishment. Such local, regional or state joint apprenticeship committees shall be composed of an equal number of employer and employee representatives selected by the respective local or state employer and employee organizations in such trade or groups of trades; also such advisory members representing local boards or other agencies as may be deemed advisable. In a trade or groups of trades in which there is no bona fide employer or employee organization, a joint committee may be composed of persons known to represent the interests of employers and of employees respectively, or a state joint apprenticeship committee may be approved as the joint committee in such trade or group of trades. Subject to the review of the council and in accordance with the standards established by the council, such committees may devise standards for apprenticeship agreements and give such aid as may be necessary in their operation, in their respective trades and localities.

Sec. 122. Voluntary acceptance of §§ 116-122. Nothing in sections 116 to 122, inclusive, or in any apprenticeship agreement approved under the provisions of said sections, shall operate to invalidate any apprenticeship provision in any collective bargaining agreement between employers and employees setting up higher apprenticeship standards. Provided also that none of the terms or provisions of sections 116 to 122, inclusive, shall apply to any person, firm, corporation or craft unless and until such person, firm, corporation or craft voluntarily elects that the terms and provisions of said sections shall apply.

Effective August 20, 1951

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## Chapter 173

### AN ACT Authorizing Approval of the Interstate Civil Defense and Disaster Compact.

**Emergency preamble.** Whereas, recent events have shown that there is an imperative need for an adequate civil defense and public safety program in order to protect the citizens of this state; and

Whereas, existing provisions of law for the development of civil defense and public safety programs are inadequate; and

Whereas, recent events have shown that speed is of the essence in modern warfare and defense; and

Whereas, the president of the United States has declared a national emergency; 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. 11-B, additional. The revised statutes are hereby amended by adding thereto a new chapter to be numbered 11-B, to read as follows :

#### ‘CHAPTER 11-B.

##### Interstate Civil Defense and Disaster Compact.

Sec. 1. Approval of compact. The governor is hereby authorized to approve the following interstate civil defense and disaster compact as hereinafter set forth and after approving the same shall cause it to be filed with the secretary of state. The secretary of state shall cause certified or exemplified copies thereof to be forwarded and deposited with all interested governmental agencies as required by public law 920, 81st Congress, or with other states, governments or political subdivisions thereof as may be necessary or desirable under the provisions of statutes of this state.

Sec. 2. Interstate civil defense and disaster compact. The contracting states solemnly agree :

Article 1. The purpose of this compact is to provide mutual aid among the states in meeting any emergency or disaster from enemy attack or other cause (natural or otherwise) including sabotage and subversive acts and direct attacks by bombs, shellfire, and atomic, radiological, chemical, bacteriological means, and other weapons. The prompt, full and effective utilization of the resources of the respective states, including such resources as may be available from the United States Government or any other source, are essential to the safety, care and welfare of the people thereof in the event of enemy action or other emergency, and any other resources, including personnel, equipment or supplies, shall be incorporated into a plan or plans of mutual aid to be developed among the civil defense agencies or similar bodies of the states that are parties hereto. The directors of civil defense of all party states shall constitute a committee to formulate plans and take all necessary steps for the implementation of this compact.

Article 2. It shall be the duty of each party state to formulate civil defense plans and programs for application within such state. There shall be frequent consultation between the representatives of the states and with the United States Government and the free exchange of information and plans, including inventories of any materials and equipment available for

civil defense. In carrying out such civil defense plans and programs the party states shall so far as possible provide and follow uniform standards, practices and rules and regulations including:

- (a) Insignia, arm bands and any other distinctive articles to designate and distinguish the different civil defense services;
- (b) Blackouts and practice blackouts, air raid drills, mobilization of civil defense forces and other tests and exercises;
- (c) Warnings and signals for drills or attacks and the mechanical devices to be used in connection therewith;
- (d) The effective screening or extinguishing of all lights and lighting devices and appliances;
- (e) Shutting off water mains, gas mains, electric power connections and the suspension of all other utility services;
- (f) All materials or equipment used or to be used for civil defense purposes in order to assure that such materials and equipment will be easily and freely interchangeable when used in or by any other party state;
- (g) The conduct of civilians and the movement and cessation of movement of pedestrians and vehicular traffic, prior, during and subsequent to drills or attacks;
- (h) The safety of public meetings or gatherings; and
- (i) Mobile support units.

Article 3. Any party state requested to render mutual aid shall take such action as is necessary to provide and make available the resources covered by this compact in accordance with the terms hereof; provided that it is understood that the state rendering aid may withhold resources to the extent necessary to provide reasonable protection for such state. Each party state shall extend to the civil defense forces of any other party state, while operating within its state limits under the terms and conditions of this compact, the same powers (except that of arrest unless specifically authorized by the receiving state), duties, rights, privileges and immunities as if they were performing their duties in the state in which normally employed or rendering services, civil defense forces will continue under the command and control of their regular leaders but the organizational units will come under the operational control of the civil defense authorities of the state receiving assistance.

Article 4. Whenever any person holds a license, certificate or other permit issued by any state evidencing the meeting of qualifications for professional, mechanical or other skills, such person may render aid involving such skill in any party state to meet an emergency or disaster and such

state shall give due recognition to such license, certificate or other permit as if issued in the state in which aid is rendered.

Article 5. No party state or its officers or employees rendering aid in another state pursuant to this compact shall be liable on account of any act or omission in good faith on the part of such forces while so engaged, or on account of the maintenance or use of any equipment or supplies in connection therewith.

Article 6. Inasmuch as it is probable that the pattern and detail of the machinery for mutual aid among 2 or more states may differ from that appropriate among other states party hereto, this instrument contains elements of a broad base common to all states, and nothing herein contained shall preclude any state from entering into supplementary agreements with another state or states. Such supplementary agreements may comprehend, but shall not be limited to, provisions for evacuation and reception of injured and other persons, and the exchange of medical, fire, police, public utility, reconnaissance, welfare, transportation and communications personnel, equipment and supplies.

Article 7. Each party state shall provide for the payment of compensation and death benefits to injured members of the civil defense forces of that state and the representatives of deceased members of such forces in case such members sustain injuries or are killed while rendering aid pursuant to this compact, in the same manner and on the same terms as if the injury or death were sustained within such state.

Article 8. Any party state rendering aid in another state pursuant to this compact shall be reimbursed by the party state receiving such aid for any loss or damage to, or expense incurred in the operation of any equipment answering a request for aid, and for the cost incurred in connection with such requests; provided that any aiding party state may assume in whole or in part such loss, damage, expense, or other cost, or may loan such equipment or donate such services to the receiving party state without charge or cost; and provided further, that any 2 or more party states may enter into supplementary agreements establishing a different allocation of costs as among those states. The United States Government may relieve the party state receiving aid from any liability and reimburse the party state supplying civil defense forces for the compensation paid to and the transportation, subsistence and maintenance expenses of such forces during the time of the rendition of such aid or assistance outside the state and may also pay fair and reasonable compensation for the use or utilization of the supplies, materials, equipment or facilities so utilized or consumed.

Article 9. Plans for the orderly evacuation and reception of the civilian population as the result of an emergency or disaster shall be worked out

from time to time between representatives of the party states and the various local civil defense areas thereof. Such plans shall include the manner of transporting such evacuees, the number of evacuees to be received in different areas, the manner in which food, clothing, housing and medical care will be provided, the registration of the evacuees, the providing of facilities for the notification of relatives or friends and the forwarding of such evacuees to other areas or the bringing in of additional materials, supplies, and all other relevant factors. Such plans shall provide that the party state receiving evacuees shall be reimbursed generally for the out-of-pocket expenses incurred in receiving and caring for such evacuees, for expenditures for transportation, food, clothing, medicines and medical care and like items. Such expenditures shall be reimbursed by the party state of which the evacuees are residents, or by the United States Government under plans approved by it. After the termination of the emergency or disaster the party state of which the evacuees are resident shall assume the responsibility for the ultimate support or repatriation of such evacuees.

Article 10. This compact shall be available to any state, territory or possession of the United States, and the District of Columbia. The term "state" may also include any neighboring foreign country or province or state thereof.

Article 11. The committee established pursuant to Article 1 of this compact may request the Civil Defense Agency of the United States Government to act as an informational and coordinating body under this compact, and representatives of such agency of the United States Government may attend meetings of such committee.

Article 12. This compact shall become operative immediately upon its ratification by any state as between it and any other state or states so ratifying and shall be subject to approval by Congress unless prior congressional approval has been given. Duly authenticated copies of this compact and of such supplementary agreements as may be entered into shall, at the time of their approval, be deposited with each of the party states and with the Civil Defense Agency and other appropriate agencies of the United States Government.

Article 13. This compact shall continue in force and remain binding on each party state until the legislature or the governor of such party state takes action to withdraw therefrom. Such action shall not be effective until 30 days after notice thereof has been sent by the governor of the party state desiring to withdraw to the governors of all other party states.

Article 14. This compact shall be construed to effectuate the purposes stated in Article 1 hereof. If any provision of this compact is declared un-



constitutional, or the applicability thereof to any person or circumstance is held invalid, the constitutionality of the remainder of this compact and the applicability thereof to other persons and circumstances shall not be effected thereby.'

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

Effective April 20, 1951

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## Chapter 174

### AN ACT Relating to Liquor Licenses in Unincorporated Places.

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

Sec. 1. R. S., c. 57, § 21-A, repealed and replaced. Section 21-A of chapter 57 of the revised statutes, as enacted by section 1 of chapter 372 of the public laws of 1947, is hereby repealed and the following enacted in place thereof:

'Sec. 21-A. Liquor licenses in unincorporated places. Upon petition signed by 20% or more of the persons resident in an unincorporated place as shown by returns to the state tax assessor provided for by section 101-A of chapter 14, as amended, requesting a vote on local option questions, the secretary of state shall forthwith appoint a time and place, give public notice in the same manner as provided for notice in section 22 and cause a vote on such questions to be taken in such unincorporated place under his supervision and subject to such rules and regulations as he shall promulgate.

If a majority of the votes cast on any such question is in the affirmative, the commission may issue licenses in such unincorporated place of the type approved by such affirmative vote, subject to all the provisions of law. If a majority of the votes cast on any such question is in the negative, no new or renewal license shall be issued in such unincorporated place of the type disapproved by such negative vote.

The affirmative or negative vote, as hereinbefore cast, on each such local option question, shall prevail, in such unincorporated place, unless and until changed by another such local option vote, subsequently held, on petition to said secretary of state as hereinbefore provided. No such local option vote shall be taken more often than once in any 2-year period.

Provided, however, that if the total number of persons shown by returns of the state tax assessor in such unincorporated place is less than 20 or the