

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-sixth Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Ninety-sixth Legislature

1953

Sec. 83. **Horning or driving deer prohibited.** It shall be unlawful to drive deer by use of horns, whistles or other noise-making devices. ~~It shall also be unlawful for any person to hunt deer after he has killed one during the open season of that calendar year.~~ It shall be unlawful for more than 8 persons to participate in a joint hunt for deer, wherein an effort is made to drive deer.'

Effective August 8, 1953

Chapter 165

AN ACT Relating to Preference in State Employment for Veterans.

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

R. S., c. 59, § 12-A, repealed and replaced. Section 12-A of chapter 59 of the revised statutes, as enacted by chapter 360 of the public laws of 1945, and as amended, is hereby repealed and the following enacted in place thereof:

'Sec. 12-A. **Preference in state employment for veterans.** Hereafter in making appointments to any position on an open competitive basis in the classified service, preference in appointment as hereinafter provided shall be given to honorably discharged male and female veterans and widows of such, and to the wives of disabled veterans who themselves are not qualified but whose wives are qualified to hold such positions. The classes of veteran preference shall be as follows:

I. Five-point preference is so called because, for this class, 5 points are added to earned qualifying ratings in examination. Any veteran who has performed active duty in any branch of the armed forces of the United States during any war is entitled to 5-point preference upon honorable discharge or release therefrom.

A. Five-point preference is also accorded to unmarried widows of deceased veterans who performed active duty in any branch of the armed forces of the United States during any war, and were honorably discharged or released therefrom.

II. Ten-point preference is a term applying to veteran preference which entitles the holder to an addition of 10 points to earned qualifying ratings in examination. The classes of 10-point preference are as follows:

A. Disability preference applies to honorably discharged veterans who establish by official records the present existence of a service-connected disability, and who are certified by the Veterans' Administration to be disabled with a disability rating of more than 0%.

B. When veterans entitled to disability preference on the basis of service-connected disability cannot be directly benefited thereby because of being disqualified for appointment by reason of the physical disability on which the preference is based, 10-point preference may be granted to their wives instead. This constitutes "wife preference."

C. Ten-point preference is accorded to unmarried widows of deceased veterans who died while in the active service of the armed forces during any war, or who died as the result of service connected disabilities.

The term "veteran" as used in this section shall mean a person, male or female, who served in the active service of the United States' armed forces during a period of war in which the United States has been, or is, engaged; and who has been discharged or released therefrom under honorable conditions.

For the carrying out of the provisions of this section, the following dates of active service in the United States' armed forces shall be:

- I. World War I, on or after April 6, 1917, and before November 11, 1918.
- II. World War II, December 7, 1941, and before September 2, 1945.
- III. Korean campaign, June 27, 1950, until such time as the United States decrees hostilities to have ceased.

In determining qualifications for examination, appointment, promotion, retention, transfer or reinstatement with respect to preference eligibles under this section, the personnel board or other examining agency may waive requirements as to age, height and weight, provided any such requirement is not essential to the performance of the duties of the position for which examination is given. The personnel board or other examining agency, after giving due consideration to the recommendation of any accredited physician, may waive the physical requirements in the case of any veteran, provided such veteran is, in the opinion of the personnel board or other examining agency, physically able to discharge efficiently the duties of the position for which the examination is given.

The provisions of this section shall apply to all examinations for original positions in the state police and in the department of inland fisheries and game.'

Effective August 8, 1953

Chapter 166

AN ACT Creating a December Term of Superior Court in Hancock County.

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

R. S., c. 94, § 11, sub-§ V, amended. Subsection V of section 11 of chapter 94 of the revised statutes is hereby amended to read as follows:

'V. Hancock: At Ellsworth on the 2nd Tuesdays of April and September and the 1st Tuesday of December.'

Effective August 8, 1953

Chapter 167

AN ACT Relating to Carrying Weapons by Private Detectives.

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

R. S., c. 124, § 18, amended. The next to the last sentence of section 18 of chapter 124 of the revised statutes is hereby amended to read as follows:

'The provisions of this section shall not be construed as prohibiting the carrying or wearing of such weapons by United States marshals, sheriffs and their deputies, constables, police officers, licensed private detectives and other officers charged with the enforcement of law.'

Effective August 8, 1953

Chapter 168

AN ACT Relating to Automobile Travel by State Fire Inspectors.

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

R. S., c. 14, § 28, amended. The 1st sentence of section 28 of chapter 14 of the revised statutes, as amended, is hereby repealed and the following enacted in place thereof:

'The state shall pay for the use of privately owned automobiles for travel by employees of the state in the business of the state not more than 7c per