

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-eighth Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Ninety-eighth Legislature

1957

Chapter 389

AN ACT Relating to Location of Harness Race Meets.

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

R. S., c. 86, § 11, amended. Section 11 of chapter 86 of the Revised Statutes is hereby amended by inserting after the 3rd sentence thereof, a new sentence, to read as follows:

'The location stated in such license where the race or race meet is to be held may be transferred to any other licensee on the dates set forth in the license during which such racing can be conducted, but with respect to such a transfer, the transfer shall only be made to another licensee and said licensee shall be liable for compliance with all laws and regulations governing the conduct of harness racing.'

Effective August 28, 1957

Chapter 390

AN ACT Relating to Maintaining Financial Responsibility in Motor Vehicle Accidents.

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

R. S., c. 22, § 77, sub-§ II, ¶B, sub-¶2, amended. Subparagraph 2 of paragraph B of subsection II of section 77 of chapter 22 of the Revised Statutes, as amended by section 3 of chapter 39 of the public laws of 1955, is hereby further amended to read as follows:

'2. shall immediately give and thereafter maintain proof of financial responsibility for 3 consecutive years next following the date of filing the proof as provided under the provisions of subsection II of section 81. The Secretary may waive the requirement of filing proof after 3 years from the date of the original filing thereof.'

Effective August 28, 1957

Chapter 391

AN ACT Relating to Pari Mutuel Horse Racing and the Stipend Fund.

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

Sec. 1. R. S., c. 32, § 17, amended. Section 17 of chapter 32 of the Revised Statutes, as amended by chapter 11 of the public laws of 1955, is hereby further amended by inserting after the 1st sentence thereof, 2 new sentences, as follows:

'One-half of the amounts contributed under the provisions of section 14 of chapter 86 and section 13 of chapter 87 shall be divided for reimbursements in equal amounts to each recipient of the stipend fund which conducts pari mutuel racing

in conjunction with its annual fair if said recipient has improved its racing facilities and has met the standards for facility improvements set by the Commissioner of Agriculture for said recipients. If a recipient has not complied with the individual standards set by the Commissioner said yearly reimbursements shall be paid in equal amounts to those recipients which have met such standards.'

Sec. 2. R. S., c. 86, § 14, amended. Section 14 of chapter 86 of the Revised Statutes, as repealed and replaced by chapter 353 of the public laws of 1955, is hereby amended to read as follows:

'Sec. 14. Pari mutuel pools. Within the enclosure of any race track where is held a race or race meet licensed and conducted under the provisions of this chapter, but not elsewhere, the sale of pari mutuel pools by the licensee under such regulations as may be prescribed by said Commission is permitted and authorized. Commissions on such pools shall in no event and at no track exceed ~~16%~~ 17% of each dollar wagered, plus the odd cents of all redistribution to be based on each dollar wagered exceeding a sum equal to the next lowest multiple of 10, known as "breakage," ~~1/2~~ of which breakage shall be retained by the licensee and the balance shall be paid to the Treasurer of State. Said maximum shall include the ~~5 1/2%~~ 6% tax hereinafter prescribed in section 15. A sum equal to ~~1 1/2%~~ 1% of such total contributions shall be paid to the Treasurer of State to be credited to the "stipend" fund provided by section 17 of chapter 32.'

Sec. 3. R. S., c. 86, § 15, amended. Section 15 of chapter 86 of the Revised Statutes is hereby amended to read as follows:

'Sec. 15. Tax. Each person, association or corporation licensed to conduct a race or race meet under the provisions of this chapter shall pay to the Treasurer of State, to be credited to the general fund of the State, a sum equal to ~~5 1/2%~~ 6% of the total contributions to all pari mutuel pools conducted or made at any race or race meet licensed under the provisions of this chapter.'

Sec. 4. R. S., c. 87, § 13, amended. Section 13 of chapter 87 of the Revised Statutes is hereby amended to read as follows:

'Sec. 13. Pari mutuel pools. Within the enclosure of any race track where is held a race or race meet licensed and conducted under the provisions of this chapter, but not elsewhere, the sale of pari mutuel pools by the licensee under such regulations as may be prescribed by said Commission is permitted and authorized. Commissions on such pools shall in no event and at no track exceed ~~16%~~ 17% of each dollar wagered, plus the odd cents of all redistribution to be based on each dollar wagered exceeding a sum equal to the next lowest multiple of 10, known as "breakage," ~~1/2~~ of which breakage shall be retained by the licensee and the balance shall be paid to the treasurer of state. Said maximum shall include the ~~5 1/2%~~ 6% tax hereinafter prescribed in section 14. A sum equal to ~~1 1/2%~~ 1% of such total contributions shall be paid to the Treasurer of State to be credited to the "stipend" fund provided by section 17 of chapter 32.'

Sec. 5. R. S., c. 87, § 14, amended. Section 14 of chapter 87 of the Revised Statutes is hereby amended to read as follows:

'Sec. 14. Tax. Each person, association, corporation, trust or partnership licensed to conduct a race or race meet under the provisions of this chapter shall pay to the Treasurer of State, to be credited to the general fund, a sum equal to

~~5 1/2%~~ 6% of the total contributions to all pari mutuel pools conducted or made at any race or race meets licensed ~~hereunder~~ under the provisions of this chapter. Each person, association, corporation, trust or partnership licensed to conduct a race or race meet under the provisions of this chapter shall also pay to the city or town treasurer in which the racing plant is located the sum of \$25 for each day of racing, provided such person, association, corporation, trust or partnership has a license to conduct races or race meets for more than 8 days during the year for which the license is issued.'

Effective August 28, 1957

Chapter 392

AN ACT to Revise the Inland Fish and Game Laws.

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

Sec. 1. R. S., c. 37, § 9, repealed and replaced. Section 9 of chapter 37 of the Revised Statutes, as revised, is hereby repealed and the following enacted in place thereof:

'Sec. 9. Rules and regulations. Whenever any existing conditions adversely affect the fish in waters in any part of the State, the Commissioner, with the advice and approval of the Advisory Council, shall make such regulations as may be deemed remedial of any such adverse conditions, in those calendar years in which the Legislature is not in session, in the manner provided in this section.

Petitions stating the conditions affecting the fish and the regulations which are desired as a remedy may be addressed to the Commissioner, by a majority of the municipal officers or 25 citizens of the municipality in which the waters exist; or if the waters are in an unorganized territory, by a majority of the county commissioners of the county in which said waters exist; or the Commissioner may investigate the conditions adversely affecting the fish in any waters in any part of the State and may make such regulations as may be deemed remedial in the manner provided in this section. This petition shall be filed in the office of the Commissioner not later than the first day of August of each year.

Hearing shall be held in the several counties prior to September 14th of the year in which said petition has been filed before the Commissioner or such subordinate officer of the Department as the Commissioner may designate, at a date and place to be designated by the Commissioner.

Notice of the hearing to be held and the time and place thereof shall be by publication once a week for 2 successive weeks prior to the hearing in a newspaper published in the county where said hearing is to be held, and if no paper is published there, in a newspaper having statewide circulation.

After hearing pursuant to the petitions filed, the Commissioner, with the advice and approval of the Advisory Council, shall make such regulations as may be deemed remedial of any adverse conditions proven to exist at the time of said hearing, such regulations to become effective on January 1st of the year next following the date of the petition. The Commissioner shall cause the regulations to be reduced to writing and publish the same once a week for 2 succes-