

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-ninth Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Ninety-ninth Legislature

1959

lation as immediately necessary for the preservation of public peace, health and safety; now, therefore,

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

R. S., c. 16, § 168, amended. The 6th sentence of section 168 of chapter 16 of the Revised Statutes is amended to read as follows:

'The Aeronautics Commission is authorized and directed to expend so much of the Aeronautical Fund as may be necessary for the purposes of carrying out the duties imposed upon it by law and to expend any unexpended balance in such fund toward the development and promotion of aviation, and to assist in construction, repair and the maintenance of, and the removal of snow from, municipal, state and federal airports in this State, and assist in the construction and maintenance of a system of air marking, in such manner and in such amounts as it shall deem equitable.'

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

Effective April 22, 1959

Chapter 213

AN ACT Relating to Legislative Jurisdiction over Federal Lands Within the State.

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

Sec. 1. R. S., c. 1, §§ 4-A - 4-C, additional. Chapter 1 of the Revised Statutes is amended by adding 3 new sections to be numbered 4-A to 4-C, to read as follows:

'Sec. 4-A. Transfer of legislative jurisdiction.

I. In order to acquire all, or any measure of, legislative jurisdiction of the kind involved in Article I, Section 8, Clause 17 of the Constitution of the United States over any land or other area; or in order to relinquish such legislative jurisdiction, or any measure thereof, which may be vested in the United States; the United States, acting through a duly authorized department, agency or officer, shall file a notice of intention to acquire or relinquish such legislative jurisdiction, hereinafter called notice, together with a sufficient number of duly authenticated copies thereof to meet the recording requirements of subsection III, with the Governor. The notice shall contain a description adequate to permit accurate identification of the boundaries of the land or other area for which the change in jurisdictional status is sought and a precise statement of the measure of legislative jurisdiction sought to be transferred. Immediately upon receipt of the notice, the Governor shall furnish the Attorney General with a copy thereof and shall request his comments and recommendations thereon.

II. The Governor shall transmit said notice together with his comments and recommendations, if any, and the comments and recommendations of the Attorney General, if any, to the next session of the Legislature which shall be

constitutionally competent to consider the same. Unless prior to the expiration of the legislative session to which said notice is transmitted as provided herein, the Legislature has adopted an act approving the transfer of legislative jurisdiction as proposed in said notice, the said transfer shall not be effective.

III. The Governor shall cause a duly authenticated copy of the notice and act to be recorded in the registry of deeds of the county where the land or other area affected by the transfer of jurisdiction is situated, and upon such recordation the transfer of jurisdiction shall take effect. If the land or other area shall be situated in more than one county, a duly authenticated copy of the notice and act shall be recorded in the registry of deeds of each such county.

IV. The Governor shall cause copies of all documents recorded pursuant to sections 4-A to 4-C to be filed with the Secretary of State.

Sec. 4-B. Compliance with certain conditions necessary for valid transfer. In no event shall any transfer of legislative jurisdiction between the United States and this State take effect nor shall the Governor transmit any notice proposing such a transfer pursuant to section 4-A, subsection II, unless under the applicable laws of the United States:

I. The United States of America has acquired title to such land by purchase, condemnation or otherwise.

II. This State shall have jurisdiction to tax private persons, private transactions and private property, real and personal, resident, occurring or situated within such land or other area to the same extent that this State has jurisdiction to tax such persons, transactions and property resident, occurring or situated generally within this State.

III. Any civil or criminal process, lawfully issued by competent authority of this State or any of its subdivisions, may be served and executed within such land or other area to the same extent and with the same effect as such process may be served and executed generally within this State; provided only that the service and execution of such process within land or other areas over which the Federal Government exercises jurisdiction shall be subject to such rules and regulations issued by authorized officers of the Federal Government, or of any department, independent establishment or agency thereof, as may be reasonably necessary to prevent interference with the carrying out of federal functions.

IV. This State shall exercise over such land or other area the same legislative jurisdiction which it exercises over land or other areas generally within this State, except that the United States shall not be required to forego such measure of exclusive legislative jurisdiction as may be vested in or retained by it over such land or other area pursuant to sections 4-A to 4-C, and without prejudice to the right of the United States to assert and exercise such concurrent legislative jurisdiction as may be vested in or retained by it over such land or other area.

Sec. 4-C. Legislative jurisdiction transferred by operation of law unimpaired. Nothing in sections 4-A to 4-C shall be construed to prevent or impair any transfer of legislative jurisdiction to this State occurring by operation of law.'

Sec. 2. R. S., c. 1, § 10, repealed. Section 10 of chapter 1 of the Revised Statutes is repealed.

Effective September 12, 1959

Chapter 214

AN ACT Relating to Powers of Community School District Trustees.

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

R. S., c. 41, § 115, amended. The first sentence of section 115 of chapter 41 of the Revised Statutes is amended to read as follows:

'To procure funds for authorized purposes of the district, the trustees of said district are authorized to borrow funds to pay current operational expenditures of the district in an amount not to exceed the total of the warrants issued for the current year, but said loans must be repaid within the same fiscal year. To procure funds for capital outlay purposes, the trustees of said district are authorized to issue bonds and notes of the district, not to exceed in the aggregate at any one time outstanding, the limit of indebtedness of said district as established under section 112 or 5% of the total of the last preceding state valuation of all of the participating towns, whichever is the lesser; ~~provided, however, that contracts.~~ Contracts, leases or agreements with the Maine School Building Authority shall not be debts or liabilities within the provisions of this section.'

Effective September 12, 1959

Chapter 215

AN ACT Relating to Vehicle Entering Stop Intersection.

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

R. S., c. 22, § 89, amended. Section 89 of chapter 22 of the Revised Statutes, as amended by section 5 of chapter 308 of the public laws of 1957, is further amended by repealing the first 2 paragraphs and inserting in place thereof the following:

'Except when directed to proceed by a police officer or traffic control signal, every driver of a vehicle approaching a through way or a stop intersection indicated by a stop sign shall stop, and after having stopped shall yield the right of way to any vehicle which has entered the intersection from another highway or which is approaching so closely on said highway as to constitute an immediate hazard, but said driver having so yielded may proceed and the drivers of all other vehicles approaching the intersection shall yield the right of way to the vehicle so proceeding.

Every vehicle approaching on a through way to point of its intersection with a way other than a through way so as to arrive at such point at approximately