

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundredth Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the One Hundredth Legislature

1961

Chapter 65

AN ACT Relating to Trapping Beaver in Organized and Unorganized Territory.

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

R. S., c. 37, § 119, amended. The first sentence of the 3rd paragraph of section 119 of chapter 37 of the Revised Statutes, as revised, is repealed as follows:

~~'During such open season beaver may be trapped without the consent of the landowner in unorganized territory, and only with the consent of the landowner in organized territory.'~~

Effective September 16, 1961

Chapter 66

AN ACT Relating to Signals at Railroad Crossings.

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

R. S., c. 96, § 48, amended. The 2nd sentence of section 48 of chapter 96 of the Revised Statutes, as amended by chapter 96 of the public laws of 1959, is further amended to read as follows:

'Said Public Utilities Commission shall have the right to refuse its said permission or to grant the same upon such terms and conditions as it may prescribe, including the manner and conditions in accordance with which the way may cross such track or land or right-of-way of any railroad corporation and the need, if any, for installation, maintenance and operation of automatic signals, gates or other protective measures to secure human life, and may determine whether the expense of building and maintaining so much of said way as is within the limits of such railroad corporation shall be borne by such railroad corporation, or by the city or town in which such way is located, or by this State, or said Public Utilities Commission may apportion such expense equitably between such railroad corporation and the city, town or State. The expense of operating and maintaining any protective device shall be borne by the corporation operating the railroad, and at crossings on state and state aid highways the expense of installing such protective device shall be apportioned between such corporation and the State as the commission shall determine; and on town ways the expense of installing such protective measure shall be apportioned between such corporation and the town as the commission shall determine.'

Effective September 16, 1961

Chapter 67

AN ACT Closing Casco Bay and Adjacent Waters to the Use of Otter Trawls.

Emergency preamble. Whereas, acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the season for fishing under this act begins in the spring of the year and in order that the fishing be regulated in the spring of 1961 the following legislation is vitally necessary; and

Whereas, this act, by limiting the size of boats and drags thereby extending the time of fishing, aids in the conservation of one of Maine's great natural resources; 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. 37-A, § 36-A, additional. Chapter 37-A of the Revised Statutes, as enacted by section 1 of chapter 331 of the public laws of 1959, is amended by adding a new section 36-A, to read as follows:

'Sec. 36-A. Otter trawls unlawful certain times and places. It is unlawful to fish or take fish by otter trawl from the coastal waters within the jurisdiction of this State between 69° 50' west longitude to 70° 20' west longitude from midnight, Friday, to midnight, Saturday, of each week during the months of June, July and August of each year.

I. Penalty. Whoever violates this section shall be punished by a fine of not less than \$200 nor more than \$1,000, or by imprisonment for not more than 30 days, or by both.'

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

Effective March 7, 1961

Chapter 68

AN ACT Relating to Motor Vehicle Operators' Licenses for Members of the Armed Forces.

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

R. S., c. 22, § 60, amended. The last paragraph of section 60 of chapter 22 of the Revised Statutes is amended to read as follows:

~~Provided further, that on~~ On application to the Secretary of State, any person who is serving in the armed forces of the United States in time of war or national emergency and who is otherwise qualified to operate a motor vehicle in this State shall receive a license without the requirement of the payment of any fee. Such person shall, notwithstanding the expiration date of such license, be entitled to operate a motor vehicle without obtaining a new license therefor. Such person shall, while operating a motor vehicle, carry upon his person conclusive evidence that he is a member of said armed forces. The privileges of