

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

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'V. Persons own records disclosed. Vital records of a person shall be made available at any reasonable time upon his request or to his duly designated attorney or agent, or attorney for an agent designated by such person or by a court having jurisdiction over said person whether the request be made in person, by mail, telephone or otherwise, provided the registrar is satisfied as to the identity of the requester, and if an attorney or agent, provided the registrar is satisfied as to his authority to act as such agent or attorney. If such agent or attorney has been appointed by a court of competent jurisdiction, or his appearance for such person is entered therein, the registrar shall upon request so ascertain by telephone call to the register, clerk or recorder of said court, and this shall be deemed sufficient justification to compel compliance with the request for said record. The state registrar shall, as soon as possible, designate persons in the Office of Vital Statistics who may act in his absence, or in case of his disqualification, to carry out the intent of this subsection.'

Effective September 16, 1961

Chapter 275

AN ACT Prohibiting Illegal Collection of Sales Tax.

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

R. S., c. 17, § 5-A, additional. Chapter 17 of the Revised Statutes is amended by adding a new section 5-A, to read as follows:

'Sec. 5-A. Illegal collection of sales tax prohibited. It shall be unlawful for any retailer to charge or collect as the sales tax due on the sale price of any property or rental an amount in excess of that provided by section 5. Any person violating this section shall be guilty of a misdemeanor.'

Effective September 16, 1961

Chapter 276

AN ACT Relating to Liability of Landowners Towards Hunters, Fishermen, Trappers, Campers, Hikers or Sightseers.

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

R. S., c. 37, § 152, additional. Chapter 37 of the Revised Statutes, as revised, is amended by adding a new section 152, to read as follows:

'Liability of Landowners.

Sec. 152. No duty to keep premises safe for hunters, trappers, fishermen, campers, hikers or sightseers.

I. Safe for entry; no warning. An owner, lessee or occupant of premises owes no duty to keep the premises safe for entry or use by others for hunting,

fishing, trapping, camping, hiking or sightseeing, or to give warning of any hazardous condition or use of or structure or activity on such premises to persons entering for such purpose, except as provided in subsection III.

II. **Permission.** An owner, lessee or occupant of premises who gives permission to another to hunt, fish, trap, camp, hike or sightsee upon such premises does not thereby extend any assurance that the premises are safe for such purpose, or constitute the person to whom permission is granted an invitee to whom a duty of care is owed, or assume responsibility for or incur liability for any injury to person or property caused by any act of persons to whom the permission is granted, except as provided in subsection III.

III. **Liability.** This section does not limit the liability which would otherwise exist for willful or malicious failure to guard, or to warn against, a dangerous condition, use, structure or activity; or for injury suffered in any case where permission to hunt, fish, trap, camp, hike or sightsee was granted for a consideration other than the consideration, if any, paid to said landowner by the State; or for injury caused, by acts of persons to whom permission to hunt, fish, trap, camp, hike or sightsee was granted, to other persons as to whom the person granting permission, or the owner, lessee or occupant of the premises, owed a duty to keep the premises safe or to warn of danger.

IV. **Injury to person or property.** Nothing in this section creates a duty of care or ground of liability for injury to person or property.

V. **Definition.** The word "premises" as used in this section includes lands, private ways and any buildings and structures thereon.'

Effective September 16, 1961

Chapter 277

AN ACT Revising Minimum Wage Law.

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

Sec. 1. R. S., c. 30, § 132-A-I, additional. Chapter 30 of the Revised Statutes is amended by adding a new section 132-A-I, to read as follows:

'Sec. 132-A-I. **Coverage.** Employers employing 4 employees or more in any day of the week are subject to sections 132-A to 132-J for that week, and in the count of employees there shall be included waiters, waitresses, doormen, bellhops and chambermaids; students; and members of the family of the employer otherwise exempt under section 132-B, subsection III.'

Sec. 2. R. S., c. 30, § 132-B, sub-§ II, amended. Subsection II of section 132-B of chapter 30 of the Revised Statutes, as enacted by chapter 362 of the public laws of 1959, is amended to read as follows:

'II. **Employ.** "Employ," ~~includes~~ to suffer or permit to work;'

Sec. 3. R. S., c. 30, § 132-B, sub-§ III, amended. Subsection III of section 132-B of chapter 30 of the Revised Statutes, as enacted by chapter 362 of the public laws of 1959, is amended to read as follows: