

# 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

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'Upon approval of an inspection station, the ~~Secretary of State~~ Chief of the State Police shall issue a license and sign, for which he shall charge an annual fee of \$2.

After hearing and determination, the ~~Secretary of State~~ Chief of the State Police may suspend or revoke the license issued to any official inspection station.'

Sec. 3. R. S., c. 22, § 47, amended. Section 47 of chapter 22 of the Revised Statutes is amended to read as follows:

'Sec. 47. Fee for inspections. The operator of any official inspection station shall conduct the inspection of motor vehicles presented to him for that purpose in accordance with rules and regulations promulgated by the ~~Secretary of State~~ Chief of the State Police, for which he shall receive a fee of ~~50c~~ \$1 for each car inspected, this sum not to include labor or material used in correction of faults in equipment.'

Sec. 4. R. S., c. 22, § 47-A, additional. Chapter 22 of the Revised Statutes is amended by adding a new section to be numbered 47-A, to read as follows:

'Sec. 47-A. Disposition of fees. The amount received from the fees under sections 45 to 47 shall be credited to the General Highway Fund and there shall be allocated, annually, from the Unappropriated Surplus of the Highway Fund a sum sufficient to defray the costs of the administration and enforcement of sections 45 to 47.'

Effective September 16, 1961

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## Chapter 344

### AN ACT to Clarify the Liquor Laws.

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

Sec. 1. R. S., c. 61, § 1, amended. Section 1 of chapter 61 of the Revised Statutes, as amended, is further amended by adding at the end a new paragraph, to read as follows:

'Places located on fairgrounds operated by agricultural societies or where pari mutuel racing is conducted, which otherwise meet the definition of a hotel or a restaurant, shall be deemed to be a hotel or restaurant for purposes of this chapter notwithstanding the fact an admission charge must be paid to gain entrance to such place.'

Sec. 2. R. S., c. 61, § 10, amended. The last sentence of section 10 of chapter 61 of the Revised Statutes is amended to read as follows:

'No such store shall be established within 300 feet of any public or private school, church, chapel or parish house, subject to the same terms and conditions as are provided for location of licensed premises in section 26.'

Sec. 3. R. S., c. 61, § 18, amended. The first sentence of the 2nd paragraph of section 18 of chapter 61 of the Revised Statutes is amended to read as follows:

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'All manufacturers or foreign wholesalers to whom certificates of approval have been granted shall furnish **promptly** the commission with a copy of every invoice sent to Maine wholesale licensees, with the licensee's name and purchase number thereon.'

Sec. 4. R. S., c. 61, § 18, amended. The first sentence of the 4th paragraph of section 18 of chapter 61 of the Revised Statutes is amended to read as follows:

'The certificate of approval shall be subject to the laws of the State of Maine and the rules and regulations which the commission has or may make.'

Sec. 5. R. S., c. 61, § 24, amended. The next to last sentence of section 24 of chapter 61 of the Revised Statutes is amended to read as follows:

'Upon notification of appeal as ~~herein provided~~, the municipal officers or county commissioners refusing approval shall **promptly** certify to the commission their reasons for refusal and evidence on such appeal shall be limited to the reasons specified.'

Sec. 6. R. S., c. 61, § 31, amended. The 2nd sentence of the 3rd paragraph of section 31 of chapter 61 of the Revised Statutes, as enacted by chapter 144 of the public laws of 1957, is repealed as follows:

~~'A part time hotel licensee shall conduct his hotel business on the premises only during the time when such part time license is in effect.'~~

Sec. 7. R. S., c. 61, § 51, amended. The 2nd paragraph of section 51 of chapter 61 of the Revised Statutes is amended by adding at the end a new sentence, as follows:

'Any licensee who accepts an order or receives payment for liquor from a minor shall be considered as in violation of this paragraph.'

Sec. 8. R. S., c. 61, § 40, amended. Section 40 of chapter 61 of the Revised Statutes, as amended by section 11 of chapter 355 of the public laws of 1955, is further amended by inserting after the first sentence, a new sentence to read as follows:

'Any violation of this section or commission rules and regulations related thereto, upon conviction after hearing before the Hearing Examiner, shall be grounds for suspension or revocation of license, or suspension or revocation of the amusement permit, or both.'

Sec. 9. R. S., c. 61, § 54-B, amended. Section 54-B of chapter 61 of the Revised Statutes, as enacted by chapter 261 of the public laws of 1959, is amended to read as follows:

'Sec. 54-B. **Lighting.** All premises licensed for sale of liquor to be consumed on the premises shall be adequately lighted. The license of any person violating this section shall be suspended until ~~such lighting has been installed~~ the licensee has conformed to the requirements of this section.'

Sec. 10. R. S., c. 61, § 57, amended. The first paragraph of section 57 of chapter 61 of the Revised Statutes is repealed as follows:

~~'A full and complete record shall be kept of all proceedings had before the commission involving the revoking, suspending or the issuance of any license either issued or to be issued by the commission.'~~

Effective September 16, 1961

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## Chapter 345

AN ACT Establishing Fees to be Collected by Registers of Probate.

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

Sec. 1. R. S., c. 153, § 40, repealed and replaced. Section 40 of chapter 153 of the Revised Statutes is repealed and the following enacted in place thereof:

'Sec. 40. Fees payable to registers of probate. Registers of probate shall receive for:

I. Devises of real estate. Making and certifying to the register of deeds copies of devises of real estate, \$4. Said sum shall be paid by the executor or administrator when said will is proved. Of said sum \$1.50 shall be paid by the register of probate to the register of deeds when such certified copy is furnished to him.

II. Petition to probate. Receiving and entering each petition to probate a will, and each petition for the administration of an estate, when the estimated value of the estate, as stated in the petition, is \$1,000 or over, \$5.

III. Copies. Making copies from the records of the court, 50c for the first page plus 25c for each additional page; except the charge for furnishing to the executor or administrator one copy of each will proved shall be 50c.

IV. Certificate of appointment. Each certificate, under seal of the court, of the appointment and qualification of an administrator, executor, guardian or trustee, 50c and for each double certificate, \$1.'

Sec. 2. R. S., c. 153, §§ 41, 42, 43, repealed. Sections 41, 42 and 43 of chapter 153 of the Revised Statutes are repealed.

Sec. 3. R. S., c. 153, § 22, amended. The 3rd sentence of the 3rd paragraph of section 22 of chapter 153 of the Revised Statutes, as repealed and replaced by section 10 of chapter 372 of the public laws of 1959, is repealed.

Effective September 16, 1961

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## Chapter 346

AN ACT Relating to Weight of Commercial Vehicles.

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

Sec. 1. R. S., c. 22, § 19, amended. The first paragraph of section 19 of chapter 22 of the Revised Statutes, as last repealed and replaced by section 10 of chapter 363 of the public laws of 1959, is amended to read as follows: