

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundredth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with
the Revised Statutes of 1954, Chapter 10, Section 27, Subsection VI.

KENNEBEC JOURNAL

AUGUSTA, MAINE

1961

PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the One Hundredth Legislature

1961

Sec. 126-E. Exemption. Sections 126-A to 126-G are not intended to apply to any act of a practitioner of the healing arts licensed in the State and performed in the course of his practice.

Sec. 126-F. Definition. Tattoo means to insert pigment under the skin of a human being by pricking with a needle or otherwise, so as to produce an indelible mark or figure visible through the skin.

Sec. 126-G. Penalty. Whoever violates sections 126-A to 126-F shall be punished by a fine of not less than \$50 nor more than \$500, or by imprisonment for not more than 6 months.'

Sec. 2. Effective date. This act shall become effective on October 1, 1961.

Effective October 1, 1961

Chapter 375

AN ACT Amending the Christmas Tree Law.

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

Sec. 1. R. S., c. 36, § 67-A, amended. The first sentence of section 67-A of chapter 36 of the Revised Statutes, as enacted by chapter 283 of the public laws of 1959, is amended to read as follows:

'It shall be unlawful for any person, firm, corporation or partnership, for commercial purposes, to ~~sell or~~ transport Christmas trees or evergreen boughs from private, state or federal lands to any place or places within or outside this State without first registering with the State Forestry Department or persons designated by the ~~Forest~~ commissioner, but no registration will be required of landowners or holders of written permits from landowners for cutting or bundling ~~and or~~ hauling such trees and boughs to roadside ~~for sale at roadside or to a dealer.~~

Sec. 1-A. R. S., c. 36, § 67-A, amended. The 3rd sentence of section 67-A of chapter 36 of the Revised Statutes, as enacted by chapter 283 of the public laws of 1959, is amended to read as follows:

'The annual fee for such registration, when obtained from the Forestry Department, shall be \$1 payable to the Treasurer of State and credited to the ~~State Forestry Department for administration of sections 67-A to 67-J~~ General Fund; and if such registration is obtained from any town or city clerk, the annual fee shall be \$1.25, \$1 of which shall be payable to the Treasurer of State and credited to the ~~State Forestry Department for administration of sections 67-A to 67-J~~ General Fund, and 25c shall be retained by the town or city clerk for the service of issuing the certificates of registration.'

Sec. 2. R. S., c. 36, § 67-B, amended. Section 67-B of chapter 36 of the Revised Statutes, as enacted by chapter 283 of the public laws of 1959, is amended to read as follows:

'Sec. 67-B. Definitions. For the purpose of sections 67-A to 67-J:

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I. Christmas tree. "Christmas tree" means any evergreen tree severed from the stump and includes fir, hemlock, spruce, cedar and pine, cut for commercial purposes as a Christmas tree. ~~Also for the purpose of sections 67-A to 67-J, "evergreen boughs" means~~

II. Evergreen boughs. "Evergreen boughs" mean boughs or tips of all species of coniferous trees cut for commercial purposes as ~~wreaths, tips or other Christmas decorations.~~

III. Roadside. "Roadside" is defined as the nearest public way accessible to the cutting area or initial loading point.'

Sec. 3. R. S., c. 36, § 67-C, sub-§ II, amended. Subsection II of section 67-C of chapter 36 of the Revised Statutes, as enacted by chapter 283 of the public laws of 1959, is amended to read as follows:

'II. Transit. In transit: A current landowner permit or owner of growth thereon permit or other written proof of ownership and state Christmas tree registration when transporting trees loosely or in bundles, or boughs, loosely or baled, and in the case of over the highway transportation, each driver must carry such permit and registration on person or in vehicle. Dealers using more than one truck may obtain duplicate copies, at a charge of 25c each, of their registration for use by the drivers. In the case of railroad shipment or transportation of Christmas trees, loosely or in bundles, or boughs, loosely or baled, a certificate of shipment must be posted on both doors or both sides of each railroad car.'

Sec. 4. R. S., c. 36, § 67-E, amended. The last paragraph of section 67-E of chapter 36 of the Revised Statutes, as enacted by chapter 283 of the public laws of 1959, is amended to read as follows:

'In addition to the penalty of a suspension or revocation of registration, any person, firm, corporation or partnership who violates any of the provisions mentioned in this section or who offers any resistance to carrying out ~~the provisions of~~ sections 67-A to 67-J shall be deemed guilty of a misdemeanor and if convicted thereof shall be punished by a fine of not less than \$25 nor more than \$100 or by imprisonment for not more than 3 months, or by both. After deductions of court costs such fines shall be credited to the General Fund.'

Sec. 5. R. S., c. 36, § 67-F, amended. The last sentence of section 67-F of chapter 36 of the Revised Statutes, as enacted by chapter 283 of the public laws of 1959, is amended to read as follows:

'In case the owner does not want the trees or boughs, the State may then dispose of them, and any moneys derived from the disposition of said trees and boughs shall be paid over to the landowner if his identity can be established, otherwise to the Treasurer of State and credited to the ~~State Forestry Department for administration of the provisions of sections 67-A to 67-J~~ General Fund.'

Sec. 6. R. S., c. 36, § 67-I, amended. Section 67-I of chapter 36 of the Revised Statutes, as enacted by chapter 283 of the public laws of 1959, is amended to read as follows:

'Sec. 67-I. Enforcement agencies. State Forestry Department personnel ~~State Police and county sheriffs and their deputies~~ and all state, county and

municipal law enforcement officers shall be authorized officers to make inspections, investigations and arrests under sections 67-A to 67-J and shall report violations to the ~~Forest~~ commissioner.'

Effective September 16, 1961

Chapter 376

AN ACT Relating to Notice to Municipal Officers Prior to Filing of the State Valuation.

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

R. S., c. 16, § 66, amended. Section 66 of chapter 16 of the Revised Statutes is amended by adding a new sentence to read as follows:

'Notice of the proposed valuations of municipalities within each county shall be sent by certified mail to the chairman of the board of assessors of each municipality within that county on or before the first day of November preceding the regular sessions of the Legislature.'

Effective September 16, 1961

Chapter 377

AN ACT Increasing Salary of Secretary of State.

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

Sec. 1. R. S., c. 21, § 1, amended. The 2nd paragraph of section 1 of chapter 21 of the Revised Statutes, as last amended by section 6 of chapter 361 of the public laws of 1959, is further amended to read as follows:

'The Secretary of State shall receive an annual salary of ~~\$10,000~~ \$10,200. He and his deputy shall also receive such actual traveling expenses incident to the administration of his department as shall be necessary.'

(There is appropriated from the General Fund the sum of \$200 for the fiscal year ending June 30, 1962 and \$200 for the fiscal year ending June 30, 1963 to carry out the purposes of this section.)

Sec. 2. **Effective date.** This act shall be retroactive to July 1, 1961.

Effective September 16, 1961

Chapter 378

AN ACT Relating to Survivor Benefits Under Maine State Retirement System.

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

R. S., c. 63-A, § 9, sub-§ I, ¶ B, sub-¶ 2, amended. Subparagraph 2 of paragraph B of subsection I of section 9 of chapter 63-A of the Revised Statutes, as