

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and First 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.

The Knowlton and McLeary Company
Farmington, Maine
1963

PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the One Hundredth Legislature

At The

SPECIAL SESSION, November 27, 1961

to

December 2, 1961

Chapter 401

AN ACT to Extend the Sardine Canning Season.

Emergency preamble. Whereas, the Maine sardine industry with 31 canneries located along the coast from Portland to Robbinston is in the midst of one of the most critically small packs in history, due to an acute shortage of fish; and

Whereas, this is causing widespread unemployment in the coastal areas, heavy financial losses to canners and fishermen, and a general disruption of long established markets on a national basis; and

Whereas, in view of this major crisis in an important Maine industry an extension of the present season is desirable in hopes that it will result in larger production and thereby help to alleviate some of the hardships and economic dislocations caused by uncontrollable natural conditions; 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:

Sec. 1. R. S., c. 32, § 258, amended. The 3rd sentence of section 258 of chapter 32 of the Revised Statutes is amended to read as follows:

‘Said license shall run from April 15th to December 1st of each year, unless sooner revoked as herein provided and shall be renewed annually thereafter, except that in the year 1961 said license shall run from April 15th to December 31st, unless sooner revoked as herein provided, and except that in the year 1962 said license shall run from January 1st to December 31st, unless sooner revoked.’

Sec. 2. R. S., c. 37-A, § 29; limitation. The provisions of section 29 of chapter 37-A of the Revised Statutes, as enacted by section 1 of chapter 331 of the

public laws of 1959, regulating herring for canning purposes from December 1st to April 15th, are suspended until December 31, 1962.

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

Effective November 30, 1961

Chapter 402

AN ACT Repealing Emergency Interim Judicial Succession.

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

Sec. 1. R. S., c. 1, § 21-A, amended. Section 21-A of chapter 1 of the Revised Statutes, as enacted by section 1 of chapter 171 of the public laws of 1961, is amended to read as follows:

'Sec. 21-A. Short title. Sections 21-A to 21-L shall be known and may be cited as the "Emergency Interim Executive ~~and Judicial~~ Succession Act.'

Sec. 2. R. S., c. 1, § 21-B, amended. Section 21-B of chapter 1 of the Revised Statutes, as enacted by section 1 of chapter 171 of the public laws of 1961, is amended to read as follows:

'Sec. 21-B. Statement of policy. Because of the existing possibility of attack upon the United States of unprecedented size and destructiveness, and in order, in the event of such an attack, to assure continuity of government through legally constituted leadership, authority and responsibility in offices of the Government of the State and its political subdivisions; to provide for the effective operation of government during an emergency; and to facilitate the early resumption of functions temporarily suspended, it is found and declared to be necessary to provide for additional officers who can exercise the powers and discharge the duties of Governor; to provide for emergency interim succession to governmental offices of this State and its political subdivisions in the event the incumbents thereof, and their deputies, assistants or other subordinate officers authorized, pursuant to law, to exercise all of the powers and discharge the duties of such offices, hereinafter in sections 21-A to 21-L referred to as deputies, are unavailable to perform the duties and functions of such offices; ~~and to provide for special emergency judges who can exercise the powers and discharge the duties of judicial offices in the event regular judges are unavailable.~~

Sec. 3. R. S., c. 1, § 21-H, repealed. Section 21-H of chapter 1 of the Revised Statutes, as enacted by section 1 of chapter 171 of the public laws of 1961, is repealed.

Sec. 4. R. S., c. 1, § 21-I, amended. The first sentence of section 21-I of chapter 1 of the Revised Statutes, as enacted by section 1 of chapter 171 of the public laws of 1961, is amended to read as follows:

'At the time of their designation, emergency interim successors ~~and special emergency judges~~ shall take such oath as may be required for them to exercise the powers and discharge the duties of the office to which they may succeed.'