

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

# 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 Hundred and First Legislature

1963

---

---

**Sec. 267-F. Fees.** All fees charged for use of the trademarks and from the issuance of licenses shall be paid to the Treasurer of State and the same are appropriated for carrying out sections 267-B to 267-G, and for promoting the prosperity of this State and the sardine industry by fostering and promoting better methods of processing, merchandising and advertising of Maine sardines under the direction of the Maine Sardine Council.

**Sec. 267-G. Enforcement; jurisdiction.** The council or a duly authorized representative may recover penalties imposed for violation of section 267-C in a civil action brought in the name of the council, and if it prevails in such action shall recover full costs; or the council may prosecute for violations thereof by complaint or indictment. The District Court and the Superior Court shall have concurrent jurisdiction of actions brought for the recovery of penalties imposed by section 267-C, and of prosecutions for violations thereof. All fines received under section 267-C by county treasurers shall be paid by them to the Treasurer of State and the same are appropriated for carrying out sections 267-B to 267-G.'

Effective September 21, 1963

---

---

## Chapter 367

### AN ACT Providing for Public Facilities for Boats.

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

**Sec. 1. R. S., c. 38-C, additional.** The Revised Statutes are amended by adding a new chapter 38-C, to read as follows:

#### 'Chapter 38-C.

##### Public Facilities for Boats.

**Sec. 1. Director of Maine State Park and Recreation Commission; duties.** The Director of the Maine State Park and Recreation Commission, with the advice of the Maine State Park and Recreation Commission, shall acquire, construct and maintain, within the funds available, public facilities for boats in the waters of the State, including but not limited to launching ramps, parking sites and access roads. Waters of the State means any waters within the territorial limits of the State, and the marginal sea adjacent to the State.

The Director of the Maine State Park and Recreation Commission shall decide where the facilities shall be located and which facilities shall be constructed by the Highway Department.

**Sec. 2. Boating Facilities Fund.** There is hereby created within the Maine State Park and Recreation Commission a Boating Facilities Fund, to which shall be credited 3.5c of the tax paid on fuel used in pleasure motor boats which is not

refunded under chapter 16, section 167. This fund shall be available to the Director of the Maine State Park and Recreation Commission in carrying out its duties.

**Sec. 3. Fees.** The Director of the Maine State Park and Recreation Commission may charge reasonable fees for the services provided by this chapter. Such fees shall be used to supervise the facilities constructed. The Director of the Maine State Park and Recreation Commission may set aside no more than 10% of said fees per year as a reserve fund for repairs and maintenance of the facilities and for marking the waters where in its opinion a hazard to boating exists.

**Sec. 4. Leases.** The Director of the Maine State Park and Recreation Commission may lease, on such conditions as it deems necessary, for a period not exceeding 30 years, parking lots and nearby sites for the purpose of having, constructing and maintaining by the lessees restaurants, gift shops, marinas and the like. The income from such leases shall be credited to the Boating Facilities Fund.'

**Sec. 2. R. S., c. 16, § 160, amended.** The 3rd and 5th sentences of section 160 of chapter 16 of the Revised Statutes, as amended, are further amended to read as follows:

'Six cents of the tax so paid, and no more, upon such internal combustion engine fuel used in **commercial** motor boats, in tractors used for agricultural purposes not operating on public ways, or in such vehicles as run only on rails or tracks, or in stationary engines or in the mechanical or industrial arts, shall be refunded as provided.'

'Eight mills of the tax so paid on fuel used in **commercial** motor boats, which is not refunded under ~~the provisions of~~ section 166, shall be paid to the Treasurer of State, to be made available to the Commissioner of Sea and Shore Fisheries for the purpose of conducting research, development and propagation activities by the department.'

**Sec. 3. R. S., c. 16, § 167, amended.** Section 167 of chapter 16 of the Revised Statutes, as amended, is further amended to read as follows:

'**Sec. 167. Refund of 3/7 of tax paid by users of piston engine aircraft and pleasure motor boats.** Any person, association of persons, firm or corporation who shall buy and use any internal combustion engine fuel as defined in section 159, for the purpose of propelling piston engine aircraft and **pleasure motor boats not used for commercial purposes**, and who shall have paid any tax on internal combustion engine fuel levied or directed to be paid as provided by sections 158 to 168, either directly by the collection of such tax by the vendor from such consumer, or indirectly by adding the amount of such tax to the price of such fuel and paid by such consumer, shall be reimbursed and repaid to the extent of 3/7 of the amount of such tax paid by him upon presenting to the State Tax Assessor a statement accompanied by the original invoices showing such purchases. Applications for refunds must be filed with the State Tax Assessor within 12 months from the date of purchase.'