

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Second Legislature

OF THE

# STATE OF MAINE

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**  
AS PASSED BY THE  
**One Hundred and Second Legislature**  
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ing at which said ordinances are to be proposed shall be given in the manner provided for town meetings, and such ordinances shall be effective immediately. A village corporation shall have the same powers and duties as a municipality under this section.'

Effective September 3, 1965

## Chapter 32

### AN ACT to Extend the Military Law to Females.

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

**Sec. 1. R. S., T. 25, § 701, repealed and replaced.** Section 701 of Title 25 of the Revised Statutes is repealed and the following enacted in place thereof:

#### ‘§ 701. Definitions

Wherever in chapters 121 to 139 the following quoted words appear, they shall have the meaning set out below:

1. **Military purposes.** “Military purposes” shall mean any purpose that will aid in facilitating the preparation for or conduct of war whether for defense or offense or whether on land, sea or in the air.

2. **Enlisted personnel.** “Enlisted man” or “enlisted men” shall mean enlisted personnel, male or female.’

**Sec. 2. R. S., T. 25, § 761, amended.** Section 761 of Title 25 of the Revised Statutes is amended to read as follows:

#### ‘§ 761. Composition

The militia of the State of Maine shall consist of all able-bodied male citizens of the State and all other able-bodied males who have or shall have declared their intention to become citizens of the United States, who shall be more than 18 years of age and, except as otherwise provided, not more than 45 years of age, **and such females as may be enlisted, appointed or commissioned therein.** Said militia shall be divided into these classes: the National Guard, the naval militia, other organized militia units and the unorganized militia.’

Effective September 3, 1965

## Chapter 33

### AN ACT to Correct Errors and Inconsistencies in the Sea and Shore Fisheries Laws.

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

**Sec. 1. R. S., T. 12, § 3452, sub-§ 2, ¶ A, additional.** Subsection 2 of section 3452 of Title 12 of the Revised Statutes is amended by adding a new paragraph A to read as follows:

'A. The commissioner may set forth detailed conditions in writing, governing the taking of such shellfish, which he may change from time to time.'

Sec. 2. R. S., T. 12, § 3751, sub-§ 2, amended. Subsection 2 of section 3751 of Title 12 of the Revised Statutes is amended to read as follows:

'2. Licenses and permits issued through error are void; unlawful to make misrepresentation on application. Any license or permit issued through error, misrepresentation or misstatement is void, and the holder shall surrender it on demand of the commissioner.

A. If the commissioner doubts the truth of any fact alleged on any application for any license or permit at any time after the particular license or permit has been issued, he may summons the holder to appear at a time and place set forth in the summons and give evidence concerning the particular fact or facts questioned. The time for the hearing may not be sooner than 10 days after the summons is mailed. The commissioner shall send the summons by certified or registered mail to the address set forth in the particular license or permit application.

(1) The commissioner may continue the hearing from time to time.

(2) If the applicant fails to appear at the hearing or fails to produce satisfactory evidence of the particular fact involved, the commissioner shall revoke his license or permit forthwith.

A. B. It is unlawful for any person to willfully make a misstatement or misrepresentation on any application for any license or permit.'

Sec. 3. R. S., T. 12, § 4204, sub-§ 1, ¶ B, amended. Paragraph B of subsection 1 of section 4204 of Title 12 of the Revised Statutes is amended to read as follows:

'B. The length of the head rope may not be greater than 50 feet measured from wing tip to wing tip along the ~~bottom~~ top of the wings and bosom;'

Sec. 4. R. S., T. 12, § 4251, sub-§ 1, additional. Section 4251 of Title 12 of the Revised Statutes is amended by adding a new subsection 1, to read as follows:

'1. Joint municipal programs and funds authorized. Any municipality by vote of its legislative body may authorize its municipal officers to enter into an agreement with any number of other municipalities for any joint shellfish conservation program approved by the commissioner, and may raise and appropriate money for that joint program.'

Sec. 5. R. S., T. 12, § 4252, amended. The first sentence of section 4252 of Title 12 of the Revised Statutes is amended to read as follows:

'Any municipality which has raised or appropriated money within 2 years next prior to acting under this section for a shellfish conservation program approved by the commissioner as authorized under section 4251 may enact a municipal ordinance fixing the time when clams, quahogs and mussels may be taken from any or all of the coastal waters and flats within the municipality, except for those areas closed by regulation of the commissioner under section 3503 or section 3504.'

Sec. 6. R. S., T. 12, § 4252, amended. Section 4252 of Title 12 of the Revised Statutes is amended by adding after the first sentence a new sentence to read as follows:

**'The ordinance must have the written approval of the commissioner before adoption and that approval must be filed with the municipal clerk prior to adoption.'**

Sec. 7. R. S., T. 12, § 4252, sub-§ 4, additional. Section 4252 of Title 12 of the Revised Statutes is amended by adding a new subsection 4 to read as follows:

**'4. Municipality defined. For the purposes of this section and section 4251, municipality includes a village corporation.'**

Sec. 8. R. S., T. 12, § 4252, sub-§ 5, additional. Section 4252 of Title 12 of the Revised Statutes is amended by adding a new subsection 5, to read as follows:

**'5. Ordinances may grant privileges to municipalities having conservation agreements. Any ordinance adopted under this section may grant shellfish digging license privileges to the residents of any municipality which has a joint shellfish conservation agreement with the municipality enacting the ordinance.'**

Effective September 3, 1965

## Chapter 34

### AN ACT Relating to Group Life Insurance for State Employees Retired for Other Than Occupational Disability.

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

Sec. 1. R. S., T. 5, § 1151, sub-§ 9, ¶ A, amended. The first sentence of paragraph A of subsection 9 of section 1151 of Title 5 of the Revised Statutes is amended to read as follows:

**'On retirement for reasons other than occupational disability, the average amount of insurance in force for the last 5 years prior to retirement shall be continued in force at no cost to the state employee or teacher, provided that he has participated in the group life insurance program for a minimum of 10 years immediately prior to retirement.'**

Sec. 2. R. S., T. 5, § 1151, sub-§ 9, ¶ A, amended. Paragraph A of subsection 9 of section 1151 of Title 5 of the Revised Statutes is amended by adding at the end a new paragraph to read as follows:

**'The mandatory 10 years of coverage immediately prior to retirement clause shall apply only to those individuals who become first insured under the group life insurance program on or after the first day of the first month following the effective date of this Act.'**

Effective September 3, 1965