

# 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**  
**1965**

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## Chapter 104

### AN ACT Relating to Free Access to Waters Stocked with Fish Raised by State.

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

R. S., T. 12, § 2557-A, additional. Title 12 of the Revised Statutes is amended by adding a new section 2557-A, to read as follows:

#### § 2557-A. Free access to waters stocked by State

No fish or fish spawn raised by the State shall be planted or deposited in any inland waters of the State unless free public or private access to the public is provided to said waters at such times as said lakes are open to fishing under the general law.'

Effective September 3, 1965

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## Chapter 105

### AN ACT Relating to Type of Dredge to Dig Clams in Town of Phippsburg.

**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after the adjournment of the Legislature unless enacted as emergencies; and

Whereas, there is a scarcity of clam diggers in and around Phippsburg because of low prices; and

Whereas, a segment of the clam industry is threatened because of lack of work; and

Whereas, the following legislation is vitally necessary to better the economy of one of Maine's essential industries; 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:*

R. S., T. 12, § 4352, sub-§ 5, additional. Section 4352 of Title 12 of the Revised Statutes is amended by adding a new subsection 5, to read as follows:

‘5. Hydraulic or mechanical dredges excepted in Town of Phippsburg. This section does not apply to any hydraulic or mechanical dredge operated solely within the Town of Phippsburg, provided that the operation is a part of the town shellfish management program and provided permission to operate the dredge is obtained at a special or annual town meeting of the Town of Phippsburg. The town shall be authorized to charge a fee of \$20 for a license to operate said unit

and assess a tax of 10c per bushel of soft shell clams harvested during the period of a state-approved management program.'

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

Effective March 25, 1965

## Chapter 106

### AN ACT Regulating Manufacture and Sale of Stuffed Toys.

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

**Sec. 1. R. S., T. 26, § 81, sub-§ 8, repealed.** Subsection 8 of section 81 of Title 26 of the Revised Statutes is repealed, as follows:

~~'8. Stuffed toy. "Stuffed toy" shall mean any article intended for use by infants or children as a plaything which is filled with or contains any fiber, chemical or other stuffing.'~~

**Sec. 2. R. S., T. 26, § 113, amended.** Section 113 of Title 26 of the Revised Statutes is amended to read as follows:

#### § 113. Secondhand materials

No person shall manufacture for sale, sell, lease, offer to sell or lease, or deliver or consign in sale or lease, or have in his possession with intent to sell, lease, deliver or consign in sale or lease any article of bedding or upholstered furniture ~~or stuffed toy~~ covered in this subchapter in which in the making, re-making or renovation thereof, any secondhand material has been used, unless such material, before such re-use, has been effectively cleansed and sterilized or disinfected by a process approved by the department and in accordance with the regulations of the department.'

**Sec. 3. R. S., T. 26, c. 5, sub-c. I-A, additional.** Chapter 5 of Title 26 of the Revised Statutes is amended by adding a new subchapter I-A, to read as follows:

#### 'SUBCHAPTER I-A

#### STUFFED TOYS

#### ARTICLE 1. GENERAL PROVISIONS

#### § 121. Construction

This subchapter shall be construed to cover and apply to the manufacture, sale and distribution of all stuffed toys and filled playthings of all types which are intended for sale, gift or use in the State.