

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Second Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with
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PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Second Legislature
1965

Where damages are recoverable by any person by virtue of this section subject to such reduction as is mentioned, the jury shall find and record the total damages which would have been recoverable if the claimant had not been at fault and the extent to which those damages are to be reduced.

Fault means negligence, breach of statutory duty or other act or omission which gives rise to a liability in tort or would, apart from this section, give rise to the defense of contributory negligence.

If such claimant is found by the jury to be equally at fault, the claimant shall not recover.'

Effective September 3, 1965

Chapter 425

AN ACT to Correct Errors and Inconsistencies in the Public Laws.

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

Whereas, the said 90-day period will not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of departments and institutions will become due and payable on or immediately after July 1, 1965; 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., T. 1, c. 11, sub-c. III, additional. Chapter 11 of Title 1 of the Revised Statutes is amended by adding a new subchapter III, to read as follows:

'SUBCHAPTER III

REVISED STATUTES

§ 361. Positive law

The Legislature declares that the Maine Revised Statutes and the Maine Revised Statutes Annotated are identical as to the text of the law. Since the text of the revision has been enacted by the Legislature, it is positive law.

§ 362. Supplements as part of Revised Statutes

The laws contained in any current pocket parts or supplements to the Revised Statutes, printed and published hereafter under contract or otherwise as may be

authorized by law, shall constitute, prima facie, a part of the Revised Statutes if such laws, as so contained, purport to represent reproduction of statutory amendments of the Revised Statutes, as stated in accompanying notes thereto and are so certified by the Secretary of State. If any such pocket parts or supplements are printed and published on a cumulative basis, then only such laws contained in the latest publication thereof shall constitute, prima facie, a part of the Revised Statutes.

§ 363. Secretary of State

To entitle any copy of a law published in the Revised Statutes of 1964 to be read in evidence, there shall be contained in the same book a printed certificate of the Secretary of State that such copy is a correct transcript of the text of the original laws. A facsimile of the signature of the Secretary of State imprinted by or at his direction upon such certificate shall have the same validity as his written signature.'

Sec. 2. R. S., T. 1, § 503, repealed and replaced. Section 503 of Title 1 of the Revised Statutes is repealed and the following enacted in place thereof:

‘§ 503. Delivery to successor in office

All revisions of the statutes, and supplements thereto, the session laws and the Maine Reports sold or furnished to any state, county or municipal officer, shall be held in trust by said officer for the sole use of his office; and at the expiration of his term of office or on his removal therefrom by death, resignation or other cause, such officer, or if he is dead, his legal representatives, shall turn them over to his successor in office. If there is no successor to his office, such officer, or his legal representatives, shall turn over all of said publications to the State, county or municipal unit which purchased the same. Copies of said publications distributed or sold to Justices and Ex-justices of the Supreme Judicial and Superior Courts shall be and remain the personal property of said justices.'

Sec. 2-A. R. S., T. 3, § 41, amended. Section 41 of Title 3 of the Revised Statutes is amended by adding at the end of the first paragraph, a new sentence, as follows:

‘All revenues received by the document clerk in the performance of his duties shall be credited to the General Fund.’

Sec. 2-B. R. S., T. 3, § 161, amended. Section 161 of Title 3 of the Revised Statutes is amended to read as follows:

‘§ 161. Composition of committee; appointment

A Legislative Research Committee, as heretofore established, shall consist of 7 Senators to be appointed by the President of the Senate from the majority and minority parties in the Senate, approximately in proportion to their respective membership in the Senate, and 7 Representatives to be appointed by the Speaker of the House of Representatives from the majority and minority parties in the House, approximately in proportion to their respective membership in the House, during each regular session. The President of the Senate and the Speaker of the House of Representatives shall be members ex officio. The committee shall elect a chairman who shall serve as such at the pleasure of the committee.'

Sec. 2-C. Appropriation. There is appropriated from the General Fund the sum of \$1,500 for the fiscal year ending June 30, 1966 and \$1,500 for the fiscal year ending June 30, 1967 to the Legislative Research Committee to carry out the purposes of section 2-B. The breakdown shall be as follows:

	1965-66	1966-67
LEGISLATIVE RESEARCH COMMITTEE		
Personal Services (Per Diem)	(3) \$ 850	(3) \$ 850
All Other	650	650
	<hr/> \$1,500	<hr/> \$1,500

Sec. 2-D. R. S., T. 3, § 163, sub-§ 15, amended. Subsection 15 of section 163 of Title 3 of the Revised Statutes is amended by adding at the end, a new paragraph, as follows:

'The Legislative Research Committee shall appoint an assistant finance officer to assist the Finance Officer in carrying out his duties. He shall be chosen without reference to party affiliation and solely on the grounds of fitness to perform the duties of his office. He shall hold office for 6 years from the date of his appointment and until his successor has been appointed and qualified. His salary shall be determined by the Legislative Research Committee.'

Sec. 3. R. S., T. 4, § 154, sub-§§ 7, 8, 9 and 11, amended. Subsections 7, 8, 9 and 11 of section 154 of Title 4 of the Revised Statutes are amended to read as follows:

7. Seventh District. The 7th district consists of the divisions of Northern Kennebec (Waterville) and Southern Kennebec (Augusta) ~~and Northern Androscoggin (Livermore Falls).~~

8. Eighth District. The 8th district consists of the divisions of Southern Androscoggin (Lewiston) and Eastern Cumberland (Brunswick) ~~and Northern Cumberland (Bridgton).~~

9. Ninth District. The 9th district consists of the ~~division~~ divisions of Southern Cumberland (Portland) ~~and Northern Cumberland (Bridgton).~~

11. Eleventh District. The 11th district consists of the divisions of Northern Androscoggin (Livermore Falls), Franklin (Farmington), Northern Oxford (Rumford) and Southern Oxford (South Paris).'

Sec. 4. R. S., T. 4, § 171, amended. The last 3 paragraphs of section 171 of Title 4 of the Revised Statutes are amended to read as follows:

'He may, and on complaint shall, cause to be arrested persons found within his county charged with offenses; and those having committed offenses therein who have escaped therefrom; and all persons charged with felonies, offenses and misdemeanors, and all affrayers, rioters, breakers of the peace and violators of the law, and may require such offenders to find sureties for keeping the peace; ~~and when.~~ When the offense on examination is found to be one not within his

the jurisdiction of the District Court for trial, ~~he~~ the judge may cause them to recognize with sufficient sureties to appear before the Superior Court, and, in default thereof, shall commit them.

~~He~~ The District Court Judge may try those brought before him for offenses within his jurisdiction, although the penalty or fine accrues wholly or partly to his town.

Warrants issued by such ~~judges~~ proper officer of the District Court in criminal cases shall be under seal and be signed by them at the time they are issued.'

Sec. 5. R. S., T. 5, § 1124, sub-§ 1, ¶ B, sub-¶ (2), amended. The first paragraph of subparagraph (2) of paragraph B of subsection 1 of section 1124 of Title 5 of the Revised Statutes is amended to read as follows:

'Should a member die as the result of illness or injury received in line of duty while in the service of the State of Maine, irrespective of the number of years of creditable service, ~~divisions (a), (b), (c) or (e) or (e) paragraph B, subparagraph (1), divisions (a), (b), (c) or (e)~~ shall be payable if applicable. If the member died on or after March 1, 1952 as a result of illness or injury received in line of duty while in the service of the State of Maine, ~~divisions (a), (b), (c) or (e) or (e) paragraph B, subparagraph (1), divisions (a), (b), (c) or (e)~~ shall be payable if applicable, except that the payments shall begin on the first day of the month following September 16, 1961 and shall not be retroactive to the date of death if the death occurred before July 1, 1957.'

Sec. 5-A. R. S., T. 6, § 81, amended. The 2nd sentence of section 81 of Title 6 of the Revised Statutes is amended to read as follows:

'The director shall be a licensed airplane pilot.'

Sec. 5-B. R. S., T. 7, § 2954, amended. The last sentence of the 10th paragraph of section 2954 of Title 7 of the Revised Statutes is amended to read as follows:

'In addition to any penalty otherwise provided by law, the commission after notice and hearing may prohibit any such practice, and any person feeling himself aggrieved by any order of the commission issued under this chapter may appeal to the Superior Court ~~as provided in section 2955.~~

Sec. 5-C. R. S., T. 12, § 504, amended. The 2nd paragraph of section 504 of Title 12 of the Revised Statutes, as repealed and replaced by section 5 of chapter 226 of the public laws of 1965, is amended to read as follows:

'He is authorized and directed to prosecute cases of trespass on such lands in the same manner as specified in ~~section 4152~~ Title 30, section 4167.'

Sec. 5-D. R. S., T. 12, § 1201, amended. The 7th paragraph of section 1201 of Title 12 of the Revised Statutes, as repealed and replaced by section 34 of chapter 226 of the public laws of 1965, is amended to read as follows:

'Piscataquis County. Townships N.W.P.: 6,R.8; 4,R.9; 5,R.9; 6,R.9; 7,R.9; ~~7,R.9~~ 7,R.10; 8,R.10. Townships B.K.P., E.K.R.: 3,R.5; 2,R.6. Townships W.E.L.S.: 1,R.9; 2,R.9; 3,R.9; 4,R.9; 5,R.9; 6,R.9; 7,R.9; 8,R.9; 9,R.9; 10,R.9;

A,R.10; B,R.10; 1,R.10; 2,R.10; 3,R.10; 4,R.10; 5,R.10; 6,R.10; 7,R.10; 8,R.10; 9,R.10; 10,R.10; A,R.11; B,R.11; 1,R.11; 2,R.11; 3,R.11; 4,R.11; 5,R.11; 6,R.11; 7,R.11; 8,R.11; 9,R.11; 10,R.11; A,R.12; 1,R.12; 2,R.12; 3,R.12; 4,R.12; 5,R.12; 6,R.12; 7,R.12; 8,R.12; 9,R.12; 10,R.12; A,R.13; A2,R.13 and 14; 1,R.13; 2,R.13; 3,R.13; 4,R.13; 5,R.13; 6,R.13; 7,R.13; 8,R.13; 9,R.13; 10,R.13; A,R.14; 1,R.14; X,R.14; 3,R.14; 4,R.14; 5,R.14; 6,R.14; 7,R.14; 8,R.14; 9,R.14; 10,R.14; East Middlesex Canal; Day's Academy Grant; 3,R.15; 4,R.15; 5,R.15; 6,R.15; 7,R.15; 8,R.15; 9,R.15; 10,R.15. Other townships: Harford's Point; Cove Point; All islands in Moosehead; Medford; Orneville. Municipalities: Bowerbank; Barnard Plantation; Elliotsville Plantation, Kingsbury Plantation, Lakeview Plantation.'

Sec. 5-E. R. S., T. 12, § 1203, amended. The first paragraph of section 1203 of Title 12 of the Revised Statutes, as amended by section 35 of chapter 226 of the public laws of 1965, is repealed and the following enacted in place thereof:

'The commissioner shall take measures for the prevention, control and extinguishment of forest fires in said forestry district, and to this end he shall establish such administrative divisions as he may deem necessary.'

Sec. 5-F. R. S., T. 12, § 1252, amended. The first sentence of section 1252 of Title 12 of the Revised Statutes, as amended by section 37 of chapter 226 of the public laws of 1965, is further amended to read as follows:

'The commissioner shall be responsible for the prevention, control and extinguishment of forest fires ~~in said Forestry District, and to this end he shall~~ in all areas of the State and shall have an unbroken chain of command down to and including town forest fire wardens.'

Sec. 5-G. R. S., T. 12, § 1505, amended. The first sentence of section 1505 of Title 12 of the Revised Statutes, as amended by section 51-A of chapter 226 of the public laws of 1965, is further amended to read as follows:

'Owners or operators of all primary wood-using sawmills, and primary processors of veneer wood, cordwood, boltwood, pulpwood, posts, poles, piling and fence rails, except for domestic use and not for sale or conversion into products for sale, shall render an annual report to the commissioner during the month of January of each year of the amount of softwoods and hardwoods processed by species within the State by ~~or for~~ them during the preceding calendar year, and showing the county or counties from which the wood was taken.'

Sec. 5-H. R. S., T. 12, § 2253, amended. The first sentence of section 2253 of Title 12 of the Revised Statutes, as amended by section 61 of chapter 226 of the public laws of 1965, is further amended to read as follows:

'No person shall place any trailer, camper, shelter or tent from May 1st to November 30th at any public campsite maintained or authorized by the department and keep such trailer, ~~camper~~, shelter or tent so located, vacant or occupied, for more than one week in any 30-day period.'

Sec. 6. R. S., T. 12, § 3855, sub-§ 4, repealed. Subsection 4 of section 3855 of Title 12 of the Revised Statutes is repealed, as follows:

'4. ~~Penalty. Any person, firm or corporation who violates any provision of this section shall be punished by a fine of not less than \$100 nor more than \$500 for each offense, or by imprisonment for not more than 60 days.~~

Sec. 7. R. S., T. 12, § 3857, amended. Section 3857 of Title 12 of the Revised Statutes is amended to read as follows :

‘§ 3857. Penalties

Any person, firm or corporation who violates any provision of sections 3852, 3853 ~~or~~, 3854 and 3855 shall be punished by a fine of not less than \$100 nor more than \$500 for each offense, or by imprisonment for not more than 60 days.’

Sec. 8. R. S., T. 12, § 4651, amended. Section 4651 of Title 12 of the Revised Statutes is amended to read as follows :

‘§ 4651. Ratification

The Governor of this State is authorized and directed to execute a compact on behalf of the State of Maine with any one or more of the states of New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia and Florida and with such other states as may enter into the compact, legally joining therein in the form substantially as in this chapter.’

Sec. 8-A. R. S., T. 14, § 157, additional. Title 14 of the Revised Statutes is amended by adding a new section 157 to read as follows :

‘§ 157. Governmental agencies

The State of Maine or any political subdivision thereof or any quasi-municipal corporation or quasi-governmental agency, whether acting in its governmental or proprietary capacity, shall be considered to have waived its immunity from liability for damages arising out of its negligent operation of a motor vehicle during the period a policy of insurance is effective covering the liability of such governmental agency. Each policy of insurance issued to such governmental agency shall contain a provision to the effect that the insurer shall be estopped from asserting, as a defense to any claim covered by said policy, that such governmental agency is immune from liability on the ground that it is a governmental agency. The amount of damages in any such case shall not exceed the limits of coverage specified in the policy, and the courts shall abate any verdict in any such action to the extent that it exceeds such policy limit.’

Sec. 9. R. S., T. 15, § 703, amended. Section 703 of Title 15 of the Revised Statutes is amended to read as follows :

‘§ 703. Officer’s oath to complaint

When it is the duty of an officer to make complaint before any judge, clerk or complaint justice, he may make oath to it according to his knowledge and belief.’

Sec. 10. R. S., T. 15, § 1904, amended. Section 1904 of Title 15 of the Revised Statutes is amended to read as follows :

‘§ 1904. Inability to pay fine and costs; liberation

Except when otherwise provided, any convict sentenced to pay a fine or costs or both and committed or confined for default thereof and for no other cause

shall be given a credit of \$5 on such fine or costs or both for each day during which he shall be confined and shall be discharged at such time as the said credits or such credits as have been given and money paid in addition thereto shall equal the amount of the fine or costs or both, but no ~~convict shall be discharged in less than 30 days in any case, nor shall any~~ convict shall serve more than 11 months to discharge his liability under any single fine or costs or both, and in all cases no further action shall be taken to enforce payment of said fine or costs or both.'

Sec. 11. R. S., T. 18, § 1057, amended. The first sentence of section 1057 of Title 18 of the Revised Statutes is amended to read as follows:

'When a provision is made in a will for the widow of a testator who died after the 26th day of April, 1897, or for the widower of a testatrix who died after the first day of June, 1903, and such provision is waived, such widow or widower shall have and receive the same share of the real estate and the same distributive share of the real and personal estate of such testator or testatrix as is provided by law in intestate estates, except that if such testator or testatrix died leaving no kindred **within the 2nd degree**, such widow or widower shall have and receive the same share of the real estate and the same distributive share of the real and personal estate of such testator or testatrix as is provided by law in intestate estates of persons deceased who die leaving kindred **within the 2nd degree.**'

Sec. 12. R. S., T. 20, § 3722, amended. Table I of section 3722 of Title 20 of the Revised Statutes is amended to read as follows:

'TABLE I

Size of School Administrative Unit Based on Average Daily Membership	Necessary	
	Elementary Schools Grades Sub-primary to 8	Secondary Schools
1 - 25	\$3,000 + \$140 per pupil (+)	\$9,000 + \$300 per pupil (1)
26 - 50	\$250 per pupil (+)	\$470 per pupil (1)
51 - 100	\$240 per pupil (+)	\$465 per pupil (1)
101 - 200	\$235 per pupil (+)	\$435 per pupil (1)
201 - 300	\$230 per pupil	\$430 per pupil (1)
301 - 500	\$230 per pupil	\$390 per pupil
501 - 800	\$225 per pupil	\$380 per pupil
801 and over	\$225 per pupil	\$350 per pupil'

Sec. 13. R. S., T. 21, § 102, sub-§ 5, additional. Section 102 of Title 21 of the Revised Statutes is amended by adding a new subsection 5, to read as follows:

'5. Residents of unorganized territory. If all other legal requirements are complied with, residents of unorganized territory not apportioned within a specific area shall be allowed to register and vote in the nearest accessible organized municipality within the same county and, for this purpose, shall be considered classed in the same representative district.'

Sec. 13-A. R. S., T. 21, § 701, sub-§ 3, amended. Subsection 3 of section 701 of Title 21 of the Revised Statutes is amended to read as follows:

'3. **Order of offices.** The order of offices on the ballot is as follows: United States Senator, Governor ~~and~~, Representative to Congress, **State Senator and Representative to the Legislature** followed by the ~~other state and~~ county offices.'

Sec. 13-B. R. S., T. 21, § 702, sub-§ 4, amended. Subsection 4 of section 702 of Title 21 of the Revised Statutes is amended to read as follows:

'4. **Order of offices.** The order of offices on the ballot is as follows: President and Vice-President, United States Senator, Governor ~~and~~, Representative to Congress, **State Senator and Representative to the Legislature** followed by the ~~other state and~~ county offices.'

Sec. 14. R. S., T. 21, § 1154, amended. The first sentence of section 1154 of Title 21 of the Revised Statutes is amended to read as follows:

'Any resident of the municipality affected may inspect referendum ballots, have ~~then~~ **them** recounted and appeal those disputed to the Governor and Council as provided in sections 1151 to 1153.'

Sec. 14-A. R. S., T. 22, § 7, amended. Section 7 of Title 22 of the Revised Statutes is amended by adding at the end, a new paragraph, as follows:

'The department shall establish in the State House complex, in cooperation with the Bureau of Public Improvements, and administer under 'appropriate rules and regulations a first aid and health service for state employees and State House visitors.'

Sec. 14-B. Appropriation. There is appropriated from the General Fund to the Department of Health and Welfare the sum of \$7,880 for the fiscal year ending June 30, 1966 and \$5,538 for the fiscal year ending June 30, 1967 to carry out the purposes of section 14-A. The breakdown shall be as follows:

Department	1965-66	1966-67
HEALTH AND WELFARE		
Personal Services	\$4,030	\$4,238
All Other	750	1,200
Capital Expenditures	2,000	100
Mechanical & Structural Expenses	1,100	—
Total	\$7,880	\$5,538

Sec. 15. R. S., T. 26, § 141, sub-§ 4, amended. Subsection 4 of section 141 of Title 26 of the Revised Statutes is amended to read as follows:

'4. **Miniature boiler.** "Miniature boiler" shall mean a boiler as defined by the American Society of Mechanical ~~Engineers~~ **Engineers Code.**'

Sec. 16. R. S., T. 26, § 953, amended. The 4th sentence of the 2nd paragraph of section 953 of Title 26 of the Revised Statutes is amended to read as follows:

'If the making of the collective bargaining contract or of the written submission agreement for arbitration ~~of~~ or the failure, neglect or refusal to perform the same be in issue, the court shall proceed summarily to the trial thereof.'

Sec. 17. R. S., T. 27, § 62, repealed and replaced. Section 62 of Title 27 of the Revised Statutes is repealed and the following enacted in place thereof:

§ 62. Distribution and sale

Copies of the Revised Statutes, supplements thereto, and session laws shall be delivered by the printer to the State Librarian for distribution and for sale.'

Sec. 18. R. S., T. 27, § 65, repealed and replaced. Section 65 of Title 27 of the Revised Statutes is repealed and the following enacted in place thereof:

§ 65. Recipients authorized

A copy of all revisions of the statutes, and supplements thereto, and the session laws shall be sold at the established price to the following: Each free public library, college library, municipality, county attorney, clerk of courts, county commissioners' court, sheriff, county treasurer, register of deeds, register of probate, judge of probate and ex-governor.

A copy of all revisions of the statutes, and supplements thereto, and the session laws shall be furnished to each county law library, Justice and Ex-justice of the Supreme Judicial Court, Justice and Ex-justice of the Superior Court, District Court, Councillor, the Governor, Reporter of Decisions, Judge of the United States District Court for Maine, United States District Attorney for Maine, Clerk of the United States District Court for Maine, the Library of the United States Court of Appeals for the first circuit, Senator and Representative from Maine in the Congress of the United States, the Secretary of the Senate and the Clerk of the House.

The Legislature, state administrative departments, bureaus, agencies and commissions shall be sold or furnished copies necessary for legislative or administrative purposes under rules and regulations promulgated by the State Librarian.

Copies shall be sent, on an exchange basis, to the Library of Congress, secretary of the Maine State Bar Association, the Supreme Court Library of Canada and to each state or territorial library in the United States.

One copy of the laws passed by each session of the Legislature shall be given to each member thereof, the Secretary of the Senate, the Assistant Secretary of the Senate, the Clerk of the House and the Assistant Clerk of the House.

One copy of the latest unannotated revision of the statutes and the current supplement thereto shall be given to each Member of the Legislature who has not previously received such a copy as a Member of the Legislature which enacted the revision or a Legislature which met in regular session after the effective date of such revision of statutes.

The remaining copies of the revisions of the statutes, and supplements thereto, and the session laws shall be held in the library for exchange or library use, except as otherwise provided by law.'

Sec. 18-A. R. S., T. 28, § 55, sub-§ 14, amended. The 4th sentence of subsection 14 of section 55 of Title 28 of the Revised Statutes is amended to read as follows:

'Their power and duties shall include the duty to inquire into and arrest for violations of any of the provisions of this Title, **to arrest for violations of Title 17, chapter 69,** to arrest for violations of Title 29, section 2182, to arrest for impersonation of or interference with liquor inspectors, and to arrest for disturbances of the peace in the pursuance of their duties relating to liquor under this Title and to serve all processes necessary for and pertaining to enforcement of any of the provisions of this Title.'

Sec. 18-B. R. S., T. 30, § 4167, amended. The first sentence of the 2nd paragraph of section 4167 of Title 30 of the Revised Statutes, as amended by section 67 of chapter 226 of the public laws of 1965, is further amended to read as follows:

'The assessors in the organized plantations of the State shall help police the ~~reserved~~ public ~~reserved~~ lots within the boundaries of their respective plantations without any expense to the commissioner.'

Sec. 18-C. R. S., T. 32, § 1952, sub-§ 4, amended. Subsection 4 of section 1952 of Title 32 of the Revised Statutes, as amended by section 70 of chapter 226 of the public laws of 1965, is further amended to read as follows:

'4. **Others.** Highway contractors, sub-contractors and their employees in the removal of trees during the performance of contracts for the construction or maintenance of highways, and the felling, pruning, trimming or shaping of shade or ornamental trees by a general contractor in the conduct of his **regular** business.'

Sec. 19. R. S., T. 32, § 2902, amended. The last paragraph of section 2902 of Title 32 of the Revised Statutes is amended to read as follows:

'Every person holding a valid and unexpired certificate of registration as a registered assistant pharmacist, in the State of Maine, on July 1, 1960, may be permitted to qualify as a registered pharmacist by examination as such, prior to July 1, 1966, provided such a registered assistant pharmacist has held such a certificate for a minimum of 5 years and shall have been in actual practice as a registered assistant as actively engaged in retail or hospital practice ~~or~~ of pharmacy for a minimum of at least 3 years immediately preceding the date of his application for examination by the Maine State Board of Pharmacy as a registered pharmacist. No applicant who fails in 2 such examinations, by July 1, 1966, shall be permitted to qualify for any additional examinations as a registered pharmacist.'

Sec. 20. R. S., T. 32, § 3953, amended. The 2nd sentence of section 3953 of Title 32 of the Revised Statutes is repealed, as follows:

~~'The board may waive an examination and the requirements of section 3951, subsection 5, for any person who is qualified by training and experience to practice psychology and who had been engaged in such practice for at least 3 years prior to August 8, 1953.'~~

Sec. 20-A. R. S., T. 33, § 654-A, additional. Title 33 of the Revised Statutes is amended by adding a new section 654-A, to read as follows:

‘§ 654-A. Certain county records of deeds to be copied; legal effect

When contents of certain volumes of county records of deeds are found in deteriorating condition, the register of deeds of each and every county is authorized to make a true copy of the contents of any such volume and to certify that they are true copies of said records.

When said copies are so made and certified, the records contained therein and certified copies made therefrom shall be received in all courts of law with the same legal effect as those contained in the original volumes.’

Sec. 20-B. R. S., T. 36, § 991, amended. The first sentence of section 991 of Title 36 of the Revised Statutes is amended to read as follows:

‘If any resident or nonresident taxpayer after a reasonable demand refuses or neglects to pay any part of the tax assessed against him in accordance with this chapter or chapter 109, the tax collector may distrain him in any part of the State by any of his goods and chattels not exempt from attachment for debt, for the whole or any part of his tax, and may keep such distress for not less than 4 days nor more than 7 days at the expense of the owner, and if he does not pay his tax within that time, the distress shall be openly sold at vendue by the tax collector after the 4th day but on or before the 7th day.’

Sec. 20-C. R. S., T. 36, § 993, amended. The first paragraph of section 993 of Title 36 of the Revised Statutes is amended to read as follows:

‘If any resident or nonresident taxpayer assessed in accordance with this chapter or chapter 109, for 12 days after demand, refuses or neglects to pay his tax and to show the tax collector sufficient goods and chattels to pay it, such officer may arrest him in the county where found and commit him there to jail, until he pays it or is discharged by law.’

Sec. 21. R. S., T. 36, § 2912, amended. The 6th and 7th sentences of section 2912 of Title 36 of the Revised Statutes are amended to read as follows:

‘The Aeronautics Commission is authorized and directed to expend so much of the Aeronautical Fund as may be necessary for the purposes of carrying out the duties imposed upon it by law and to expend any unexpended balance in such fund toward the development and promotion of aviation, and to assist in construction, repair and the maintenance of, and the removal of snow from, municipal, state, county and federal airports in this State, and assist in the construction and maintenance of a system of air marking, in such manner and in such amounts as it shall deem equitable. Such assistance may likewise be given for snow removal on a state, federal, county or municipal owned airport used by a commercial air carrier of passengers and freight operating on a regular schedule, this assistance being extended to such carrier where the state, federal, county or municipal owner does not obligate itself and the airport is open to itinerant planes.’

Sec. 22. R. S., T. 38, § 369, amended. That part of section 369 of Title 38 of the Revised Statutes, under the caption “Lincoln County—Medomak River Drainage”, is amended by repealing subsection 2, as follows:

~~'2. Medomak River, main stem, from a point 400 feet above the Route 4 bridge in Waldoboro to the head of tide — Class C.'~~

Sec. 23. R. S., T. 38, § 370, amended. That part of section 370 of Title 38 of the Revised Statutes, under the caption "**Cumberland County**" is amended by adding a new subsection 8-A, to read as follows:

'8-A. South Portland.

A. All tidal waters in the City of South Portland—Class SC.'

Sec. 24. R. S., T. 38, § 411, amended. Section 411 of Title 38 of the Revised Statutes is amended by adding at the end, a new paragraph, as follows:

'All proceeds of the sale of bonds for the construction and equipment of pollution abatement facilities to be expended under the direction and supervision of the Water Improvement Commission shall be segregated, apportioned and expended as provided by the Legislature.'

Sec. 24-A. Hersey Fund restored. The City of Bangor is authorized to issue its general obligation bonds or notes in the aggregate principal amount of \$100,000 in accordance with the applicable provisions of its charter, the proceeds of which, except premiums, shall be used to provide money to restore the principal of the Hersey Fund, so-called, received by said city in trust under the will of the late Samuel F. Hersey and used in the year 1893 to construct the Hersey Memorial Building, more commonly known as the Bangor City Hall. So long as the city shall remain trustee, said funds so restored shall be deposited or invested in the manner permitted by law for the investment of trust funds of municipalities and the income therefrom shall be used in accordance with the provisions of the will of said Samuel F. Hersey. General obligation bonds or notes issued hereunder may be issued and sold separately or may be consolidated and sold together with any other issue or issues of general obligation bonds or notes of said city. Any premiums received upon such bonds or notes, less the cost of preparing, issuing and marketing them, shall be applied to the payment of the principal of the first of such bonds or notes to mature.

Sec. 25. P. L., 1963, c. 437, repealed. Chapter 437 of the public laws of 1963 is repealed.

Sec. 26. P. L., 1963, c. 438, repealed. Chapter 438 of the public laws of 1963 is repealed.

Sec. 27. P. L., 1963, c. 439, repealed. Chapter 439 of the public laws of 1963 is repealed.

Sec. 28. District Court defined. Wherever the words "District Court" are used in any law enacted by the 102nd Legislature, they shall also mean "municipal court" or "trial justice" as long as such a court or a trial justice continues to exist.

Sec. 29. Effective date. Sections 5-C to 5-H, 18-B and 18-C shall become effective 91 days after the adjournment of the Legislature.

Emergency clause. In view of the emergency cited in the preamble, this Act, except as provided in section 29, shall take effect when approved.