

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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The board may summons witnesses, administer oaths, order the production of books, records, papers and instruments and direct the production of any evidence it deems necessary in order to make a decision. The technical rules of evidence shall not apply at such hearings. The decision of the board shall be filed with the Forest Commissioner who shall notify the county commissioners and the assessors of the municipality in question. The assessors of such municipality, upon receipt of such decision, shall record the same and make such abatement or refund, if any, as may be required thereby.'

Effective September 3, 1965

Chapter 427

AN ACT Relating to Testamentary Shares of Omitted Children.

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

Sec. 1. R. S., T. 18, § 1004, amended. The first sentence of section 1004 of Title 18 of the Revised Statutes is amended to read as follows:

'A child of the testator, born after his death and not provided for in his will, takes the same share of his estate as he would if his father had died intestate, unless it appears from the will that the omission to provide for such child was expressly intended by the testator.'

Sec. 2. R. S., T. 18, § 1005, amended. The first paragraph of section 1005 of Title 18 of the Revised Statutes is amended by adding at the end the following:

'The absence of a devise to a child, or the issue of a deceased child, named in the will, shall be regarded as conclusive that the absence of the devise was intentional.'

Effective September 3, 1965

Chapter 428

AN ACT Relating to Fees for Fishing and Hunting Licenses.

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

Sec. 1. R. S., T. 12, § 2401, sub-§ 2, amended. Subsection 2 of section 2401 of Title 12 of the Revised Statutes is amended to read as follows:

'2. **Resident license.** Any resident over ~~16~~ 10 years of age may hunt wild birds and animals provided he has first procured from the commissioner or his authorized agent a written license which shall be kept on the person while hunting or transporting birds, or parts thereof, and animals, or parts thereof, and which shall be exhibited to any warden, employee of the department or guide, upon request.'

Sec. 2. R. S., T. 12, § 2401, sub-§ 3, amended. The 2nd and 3rd paragraphs of subsection 3 of section 2401 of Title 12 of the Revised Statutes are amended to read as follows:

'The license may be issued to a resident by the clerk or agent in the town in which the applicant resides, or if domiciled in an unorganized territory, then by the clerk or agent in the nearest town, upon payment of a fee of ~~\$2.75~~ \$1 if the applicant is under 16 years of age and \$3.75 if the applicant is 16 years of age or older, of which 25¢ shall be retained by the town clerk or agent. The commissioner may appoint agents in unorganized towns for the purpose of issuing resident hunting licenses to the residents domiciled in that unorganized town.

A combination of hunting and fishing license may be issued on payment of ~~\$5.25~~ \$6.75, 25¢ to be retained by the town clerk or agent.'

Sec. 3. R. S., T. 12, § 2401, sub-§ 4, amended. The first sentence of the 2nd paragraph of subsection 4 of section 2401 of Title 12 of the Revised Statutes is amended to read as follows:

'Nonresident hunting licenses shall be of 2 classes: One class shall be issued upon the payment of ~~\$10.25~~ \$15.25, which will license the holder to hunt wild birds or animals during the open season therefor, except deer; the other class shall be issued upon the payment of ~~\$25.25~~ \$30.25, which will entitle the holder to hunt wild birds and animals including deer during the open season therefor.'

Sec. 4. R. S., T. 12, § 2401, sub-§ 6, amended. The first sentence of subsection 6 of section 2401 of Title 12 of the Revised Statutes is amended to read as follows:

'Any nonresident between the ages of 12 and 15 years may buy a junior non-resident hunting license entitling him to hunt wild birds and animals during the open season therefor, except deer, upon payment of ~~\$5.25~~ \$10.25.'

Sec. 5. R. S., T. 12, § 2401, sub-§ 6, amended. The next to the last paragraph of subsection 6 of section 2401 of Title 12 of the Revised Statutes is amended to read as follows:

'Any resident between the ages of 10 and 16 years may hunt with firearms ~~without a license~~, if accompanied at all times while hunting by a parent or guardian or by an adult approved by parent or guardian.'

Sec. 6. R. S., T. 12, § 2502, amended. The first sentence of section 2502 of Title 12 of the Revised Statutes is amended to read as follows:

'An archery license shall be issued by the commissioner to take deer under this chapter, the fee for which shall be ~~\$4.25~~ \$5 for hunting deer by residents of this State and ~~\$10.25~~ \$15.25 for hunting deer by nonresidents; except that such archery licenses shall also permit the hunting of such wild birds and animals which can be legally hunted from October 1st to October 14th of each calendar year in the Northern Zone, from October 1st to October 20th in the Central Zone and during the month of October in the Southeastern and Southwestern Zones.'

Sec. 7. R. S., T. 12, § 2601, sub-§ 3, amended. The 2nd sentence of subsection 3 of section 2601 of Title 12 of the Revised Statutes is amended to read as follows:

'The resident license shall be issued upon payment of ~~\$2.75~~ \$3.75, and the clerk or agent shall retain 25¢ from the fee.'

Sec. 8. R. S., T. 12, § 2601, sub-§ 5, amended. Subsection 5 of section 2601 of Title 12 of the Revised Statutes is amended to read as follows:

'5. **Nonresident license.** There shall be 4 classes of nonresident fishing licenses. A license for the entire season shall cost ~~\$8.75~~ \$9.75. A 15-day license shall cost ~~\$5.75~~ \$6.75 and shall remain in effect for 15 days from the date as designated in the license. The amount paid on a 15-day license shall be credited on an entire season license upon the additional payment of \$3.25 in the same year in which the 15-day license was issued. A junior nonresident license, for persons between the ages of 10 and 16 years, shall cost ~~\$2.25~~ \$4.25 for a season. In all cases, 25¢ shall be retained by the agent from the license fee. Any resident or nonresident of the State may procure a license good for 3 consecutive days as designated ~~in~~ on the license upon the payment of ~~\$3.75~~ \$4.50, 25¢ to be retained by the agent. Any nonresident of the State may procure a license good for 7 consecutive days as designated in the license upon the payment of \$5.25, 25¢ to be retained by the agent. The date of the days must be plainly enumerated on the face of the license. Any resident of the State who procures a 3-day license may exchange the same for an annual resident fishing license in the town in which he resides, upon the payment of 25¢ to the clerk or agent who issues same.'

Sec. 9. **Effective date.** This Act shall become effective January 1, 1966.

Effective January 1, 1966

Chapter 429

AN ACT Relating to Uniform Local Effort for Payment of School Subsidies.

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

Sec. 1. R. S., T. 20, § 3518, amended. Section 3518 of Title 20 of the Revised Statutes is amended by adding at the end the following:

'On the basis of information available in the office of the commissioner on September 1st for the 2 years next preceding the biennial convening of the Legislature, as provided in returns of educational statistics required by him, the commissioner shall apportion construction subsidies to the school administrative units of the State for each of the next 2 years according to the following plan:

The several administrative units, cities, towns, plantations and School Administrative Districts, shall be divided into 21 classifications according to their valuations per resident school child being educated at public expense. The valuation shall be as determined by the Board of Equalization in the statement filed by it, as provided in Title 36, section 381, and the number of children shall be the average of the last 2 enrollment reports of resident pupils being educated at public expense on April 1st annually. Such computation shall be subject to correction in accordance with the final statement filed by the Board of Equalization on December 1st.

For each eligible unit the construction subsidy allocation thereafter shall be the applicable percentage of the construction costs as defined in this section obtained from Table II below.