

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Third Legislature

OF THE

STATE OF MAINE

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nature, or any fight between game birds or game cocks, dogs or bulls, or between dogs and rats or other animals, premeditated by any person having custody thereof, shall be punished by a fine of not more than \$200, or by imprisonment for not less than 10 days nor more than 6 months.

Effective October 7, 1967

Chapter 85

AN ACT Relating to Savings Bank Dividends.

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

R. S., T. 9, § 477, sub-§ 1, amended. Subsection 1 of section 477 of Title 9 of the Revised Statutes is amended to read as follows:

1. **Conditions.** After passing to the surplus, reserve or guaranty fund that part of the income required in section 476, if any, the trustees may declare such dividends as in their judgment should be declared in the light of the bank's condition and earning power, and as may be permitted or required by their bylaws provided.

A. That the surplus, reserve or guaranty fund may be established and maintained at such figure in excess of 5% of the deposits of the bank as their judgment may indicate;

B. That no dividend may be declared at a rate of more than 5% per annum;

C. That no dividend may be declared in an amount greater than the income and realized capital gains of the current or immediately preceding dividend period, except that the trustees may create a special reserve and may from time to time allocate thereto income and realized capital gains, and may by express vote use additional funds from such reserve for the purpose of maintaining a current dividend rate.

Effective October 7, 1967

Chapter 86

AN ACT Permitting the Establishment of Commercial Shooting Areas.

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

Sec. 1. R. S., T. 12, c. 320, additional. Title 12 of the Revised Statutes is amended by adding a new chapter 320, to read as follows:

CHAPTER 320

COMMERCIAL SHOOTING AREAS

§ 2471. Licenses; revocation

The Commissioner of Inland Fisheries and Game may issue licenses authorizing the establishment and operation of commercial shooting areas not to exceed 2 in any county. No commercial shooting area shall be located nearer than 5 miles from another commercial shooting area or from a state game preserve. An initial license fee of \$250 shall be paid by the operator of each shooting area and a license fee thereafter of \$100 shall be paid prior to July 1st annually.

The commissioner, after hearing, shall have the right to suspend or revoke a license for willful failure to comply with any of the rules and regulations promulgated for the operation of commercial shooting areas.

§ 2472. Boundaries

Each commercial shooting area shall contain not less than 200 acres nor more than 400 acres. The land may be owned or leased by the operator and shall be contiguous. Property bisected by a road or highway shall be considered to be contiguous for purposes of this section. The boundary of each shooting area shall be marked in such manner as prescribed by the commissioner and shall consist of not less than a single strand of wire and signs posted conspicuously. Such signs shall be of a color, size and wording prescribed by the commissioner and shall be placed not more than 250 feet apart so as to face the outside of the area.

§ 2473. Birds

The only birds that may be shot on a commercial shooting area are pheasants, quail and Chukar partridge. No other game, game birds or migratory birds may be shot on such an area at any time. The commissioner may grant permits to import live pheasants, quail and Chukar partridge. No birds of these species shall be imported without the written permission of the commissioner. Importers shall, when requesting a permit, provide the commissioner with information as to the number of pheasants, quail or Chukar partridge to be imported, and the name and address of the seller. Importers of live pheasants, quail or Chukar partridge shall furnish the commissioner with a statement from an approved veterinarian, the state department of agriculture or the conservation department of the state from which the birds are imported, certifying that they are from flocks which have been tested for infectious or contagious disease and have not been exposed to such disease during the 6 months prior to importation. Such statement shall accompany each request for permission to import live pheasants, quail or Chukar partridge. Upon receipt of shipment, importers of pheasants, quail or Chukar partridge shall attach securely to each bird a metallic seal, the type and design of which shall be designated by the commissioner. Such seal shall remain attached to said birds until they are finally prepared for consumption. Such seal shall be supplied by the department at a cost to be prescribed by the commissioner.

§ 2474. Hunting license

All persons must purchase a special shooting area license issued by the commissioner or his authorized agent at an annual fee of \$5 prior to hunting on a commercial shooting area.

§ 2475. Hunting season

The annual season for commercial shooting areas shall extend from July 1st to November 30th.

§ 2476. Duties of operator

The operator of a commercial shooting area shall maintain a register of the names, addresses and the commercial shooting area license number of all persons shooting on such area, together with the dates when hunting on the area and the number and type of birds killed. Such register shall be open to inspection by representatives of the department.

§ 2477. Guides

Persons employed by the operator of a commercial shooting area for guiding purposes shall be licensed Maine guides. Each shooting area shall have at least one licensed guide.

§ 2478. Schedule of fees

A schedule of fees to be charged by the operator of a shooting area must be approved by the commissioner.

§ 2479. Regulations

The commissioner may at his discretion establish additional regulations as may be deemed necessary for the proper operation of a shooting area.

§ 2480. Enforcement

Enforcement of the trespass laws on such commercial shooting areas shall be the responsibility of the owner and shall not in any manner be deemed an obligation of the department.

§ 2481. Bond

In the event that the operation is abandoned by the proprietor, or the license is revoked by the commissioner, all signs and wire used as boundary marking shall be removed. To insure such compliance, the owner is required to provide a \$500 performance bond from a bonding company satisfactory to the commissioner.

Sec. 2. R. S., T. 17, § 3852, amended. Section 3852 of Title 17 of the Revised Statutes is amended to read as follows:

§ 3852. Improved lands and fish ponds

Whoever willfully commits any trespass or knowingly authorizes or employs another to do so by entering the garden, orchard, pasture, cranberry ground, improved blueberry ground, arboretum, botanic garden or improved land of another or pond of another used for the lawful cultivation of fish or commercial shooting area, with intent to take, carry away, destroy or injure trees, shrubs, plants, flowers, grain, grass, hay, fruit, vegetables, turf or soil thereon

or the fish in such pond, or pheasants, quail or Chukar partridge found on such commercial shooting area, shall be punished by a fine of not more than \$100 and by imprisonment for not more than 90 days.

Effective October 7, 1967

Chapter 87

AN ACT Relating to Part-time Liquor Licenses for Class A Restaurants.

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

R. S., T. 28, § 2, sub-§ 18, amended. The 3rd sentence of subsection 18 of section 2 of Title 28 of the Revised Statutes is amended to read as follows:

Part-time licensees must do a minimum of \$30,000 business in sale or service of food to the public on their premises as a requirement for a part-time license not in excess of 6 consecutive months, and \$20,000 business in sale or service of food to the public on their premises as a requirement for a part-time license not in excess of 3 consecutive months.

Effective October 7, 1967

Chapter 88

AN ACT Relating to Refund of Sales Tax on Goods Removed from State.

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

R. S., T. 36, § 2012, amended. Section 2012 of Title 36 of the Revised Statutes is amended to read as follows:

§ 2012. Refund of sales tax on goods removed from State

When a business which operates from fixed locations within and without this State purchases supplies and equipment in this State, places them in inventory in this State, and subsequently withdraws them from inventory either for use at a location of the business in another state taxing jurisdiction or for fabrication, attachment or incorporation into other tangible personal property for use at a location of the business in another taxing jurisdiction, without having made use other than storage or such fabrication, attachment or incorporation within this State, it may request a refund of Maine sales tax paid at the time of purchase, provided it maintains inventory records by which the acquisition and disposition of such supplies and equipment purchased can be traced. No refund shall be made where the state taxing jurisdiction to which the supplies and equipment are removed levies a sales or use tax. Such refunds must be requested in accordance with section 2011.

Effective October 7, 1967