

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Fifth Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
One Hundred and Fourth Legislature

AT THE
SPECIAL SESSION

January 6, 1970
to
February 7, 1970

Chapter 556

AN ACT Relating to Licensing of Ambulance Service, Vehicles and Personnel.

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

Sec. 1. R. S., T. 32, § 61, amended. Section 61 of chapter 32 of the Revised Statutes, as enacted by chapter 359 of the public laws of 1969, is amended to read as follows:

§ 61. Requirement for license

No ambulance service shall operate after ~~June 30~~ **December 31**, 1970 unless it has been duly licensed by the Department of Health and Welfare pursuant to this chapter.

Sec. 2. R. S., T. 32, § 63, sub-§ 1, amended. Subsection 1 of section 63 of Title 32 of the Revised Statutes, as enacted by chapter 359 of the public laws of 1969, is amended to read as follows:

1. Advisory board. There shall be an advisory board to the Department of Health and Welfare for licensure of ambulance services, vehicles and personnel, consisting of ~~7~~ **10** members appointed by the Governor. Two members shall be physicians, one licensed to practice medicine and one licensed to practice osteopathy. One member shall be a hospital administrator. One member shall be a representative of a recognized state safety association; one a representative of rescue units; one a representative of municipalities operating ambulance and rescue units; one a representative of the public. Three members, at least one of whom shall be from a rural area, shall be representatives of an accredited ambulance service with not less than 3 years of such active experience.

Effective May 9, 1970

Chapter 557

AN ACT Creating the Maine Forest Authority and Conforming the Powers of the Forest Commissioner and the Baxter State Park Authority to a Certain Inter Vivos Trust Created by the late Percival Proctor Baxter.

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

Sec. 1. R. S., T. 12, c. 217, additional. Title 12 of the Revised Statutes is amended by adding a new chapter 217, to read as follows:

CHAPTER 217

MAINE FOREST AUTHORITY

§ 1701. Creation; designation; membership

The Maine Forest Authority, hereinafter in this chapter called "the authority", is created and designated as the agency of the State of Maine to receive such sums as are from time to time paid to the State by the trustee under clause THIRD of a certain inter vivos trust dated July 6, 1927, as from time to time amended, created by the late Percival Proctor Baxter for the purchase of forest lands for recreational and reforestation purposes, and by said trustee and by the trustees of the Baxter State Park Trust Fund created by chapter 21 of the private and special laws of 1961 for the care, protection and operation of such lands so purchased or otherwise acquired.

The authority shall consist of 5 members, viz: The Forest Commissioner, the Commissioner of Inland Fisheries and Game, the Director of the Maine State Park and Recreation Commission and the Attorney General, each of whom shall serve ex officio and a 5th member who shall be a member from the public appointed by the Governor with the advice and consent of the Council. The members shall meet as often as necessary to properly administer this chapter, and shall annually elect one of their number as chairman. Three members shall constitute a quorum for the transaction of business. The authority shall maintain a record of its doings.

§ 1702. Powers; duties

The authority is authorized on behalf of the State to purchase, with the funds paid to it by the above-named trustee and with moneys realized by the sale of timber in the manner provided, and to accept gifts and devises of, real property for recreational and reforestation purposes; and shall hold the same in trust for the benefit of the people of the State for development, improvement, use, reforestation and scientific forestry, and the production of timber and sale thereof. Title to such property shall be approved by the Attorney General, and shall be taken in the name of the State.

The authority may provide for the protection of such property so acquired against damage by insects, fire and other hazards.

The authority may employ, subject to the Personnel Law, such employees as are necessary to carry out its duties under this chapter.

§ 1703. Sale of timber

The authority may from time to time when in its discretion sound forestry practices so require, solicit bids for contracts for the harvesting and purchase of any timber standing on property acquired under the authority of this chapter, and for the reforestation of the property upon which the harvesting occurs. Advertisement for bids shall be published 3 weeks consecutively in some newspaper of statewide circulation, the date of the last publication being at least 14 days before the date set for the receiving and opening of bids. The advertisement shall contain a description of the area in which the timber lies, an estimate of the amount of board feet to be derived therefrom, and the time and place for the receiving and opening of bids thereon.

Each bid shall be accompanied by a deposit in the form of a certified check payable to the Treasurer of State in an amount equal to 10% of the bid. At the time and place specified in the notice, the authority shall publicly open the sealed bids and shall award the contract to the highest responsible bidder. Deposit checks, except in the case of the successful bidder, shall be returned to the bidder. The authority may reject any and all bids and shall reject any bid not accompanied by a check proper as to form and amount.

§ 1704. Regulations

The authority may, with respect to any property acquired under the authority of this chapter, adopt, amend and repeal regulations for the following purposes:

1. Forestry management standards. Establishing the standards of forestry management to be employed therein.
2. Public access. Controlling the nature and degree of public access thereto, and establishing reasonable fees for such access.

Such regulations shall be adopted, amended and repealed by the authority in the same manner as are rules of practice before other state agencies.

§ 1705. Disposition of revenues; revenue sharing

Revenues derived from the sale of timber shall be used for the care, extension and management of property acquired under the authority of this chapter.

Revenues derived from public-access fees shall be used for the protection of such property from fire, insects, disease and other hazards; for the maintenance of such property; for the protection and safety of the public; and for the salaries of personnel employed for such purposes. The Treasurer of State shall annually return 25% of the revenues derived from such fees to the municipality within which such property lies, to be used for the maintenance of public ways and for public education within such municipality. If any parcel of such property lies within 2 or more municipalities, such percentage shall be prorated among such municipalities according to the acreage of the parcel in each. If any parcel of such property lies in unorganized territory, such percentage shall be returned to the county, in which the parcel lies, for general county purposes. If any parcel of such land lies partly within a municipality and partly within unorganized territory, such percentage shall be prorated between the municipality and the county according to the acreage of the parcel in each.

§ 1706. Existing law enforcement jurisdiction not impaired

The powers of the authority shall not be construed to interfere or conflict with the powers and duties of the Maine State Park and Recreation Commission, Department of Inland Fisheries and Game or Forestry Department and their duly authorized wardens or rangers in the enforcement of the inland fisheries, game and forestry laws with respect to property acquired under the authority of this chapter.

Sec. 2. R. S., T. 12, § 512, amended. The first paragraph of section 512 of Title 12 of the Revised Statutes, as amended by section 12 of chapter 226 of the public laws of 1965, and by chapter 144 of the public laws of 1969, is further amended to read as follows:

The commissioner may, with the advice and consent of the Governor and Council, purchase, when funds are available from bequests or trusts other than bequests made or inter vivos trusts created by the late Percival Proctor Baxter, or accept on the part of the State gifts of, parcels or tracts of land for forest purposes. The title to lands acquired under this section shall be investigated and approved by the Attorney General.

Sec. 3. R. S., T. 12, § 901, amended. Section 901 of Title 12 of the Revised Statutes, as repealed and replaced by section 17 of chapter 226 of the public laws of 1965 and as amended by chapter 504 of the public laws of 1967, is further amended by adding at the end, a new paragraph, as follows:

The authority is further designated the agency of the State to receive such sums as are, from time to time, paid to the State by the trustee under clause THIRD of a certain inter vivos trust dated July 6, 1927, as from time to time amended, created by said Baxter for the purchase or other acquisition of additional land for said Baxter State Park, and the authority is authorized to expend such sums so received for such purposes.

Effective May 9, 1970

Chapter 558

AN ACT Repealing the Property Tax Certificate Requirement for Registration of Watercraft.

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

Sec. 1. R. S., T. 17, § 2493-A, additional. Title 17 of the Revised Statutes is amended by adding a new section 2493-A, to read as follows:

§ 2493-A. Injuring or tampering with watercraft

Whoever shall willfully break, injure, tamper with or remove any part or parts of any watercraft, or any equipment or property aboard any watercraft, against the will or without the consent of the owner of such watercraft shall be punished by a fine of not less than \$100 nor more than \$5,000 and by imprisonment for not more than 11 months for the first offense and for not more than 5 years for subsequent offenses, or by both.

Sec. 2. R. S., T. 36, § 757-A, repealed. Section 757-A of Title 36 of the Revised Statutes, as enacted by section 2 of chapter 480 of the public laws of 1967, is repealed as follows:

~~§ 757-A. Collector to furnish certificate to boat registration applicants~~

~~1. Certificate. Every boat owner seeking to register a boat under Title 38 shall obtain from the tax collector a certificate that all taxes thereon assessed to the present owner, which have been committed to the collector, have been paid.~~