

MAINE STATE LEGISLATURE

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REVISED STATUTES
OF THE
STATE OF MAINE
1954

1955 SUPPLEMENT

ANNOTATED

IN FIVE VOLUMES

VOLUME 2

**Place in Pocket of Corresponding
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THE MICHIE COMPANY
CHARLOTTESVILLE, VIRGINIA
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to said person at any time after the date of final determination of any complaint or legal proceedings instituted as a result of the violation.

(1955, c. 333, § 4.)

Effect of amendment.—The 1955 amendment deleted “a” in line one of the third paragraph and inserted in place thereof the words “the decision or.” It also inserted after the word “license” in line four of such paragraph the words “or right thereto.” The amendment substituted “may” for “shall not” in the fourth

line of the fourth paragraph and in the fifth line it substituted the words “at any time after” for the words “until fifteen days have elapsed from.” As the rest of the section was not changed by the amendment, only the third and fourth paragraphs are set out.

Jurisdiction of Offenses. Search and Seizure. Stopping of Vehicles.

Sec. 138. Vehicles required to stop on signal.—It shall be unlawful for the operator of a boat, motor vehicle or other vehicle or conveyance of any kind to fail or refuse to stop any such boat, motor vehicle or other vehicle or conveyance of any kind and stand by for inspection upon request or signal of a coastal warden in uniform.

(1955, c. 333, § 5.)

Effect of amendment.—The 1955 amendment substituted “or” for “to” between the words “fail” and “refuse” in line three of

the first paragraph. As the second paragraph was not changed, it is not set out.

Chapter 38-A.

Department of Development of Industry and Commerce.

- Sections 1- 3. Organization.
- Section 4. Division of Research and Planning.
- Section 5. Division of Development.
- Section 6. Division of Recreational Promotion.
- Sections 7- 8. Advisory Board.
- Section 9. Building at Eastern States Exposition.
- Sections 10-11. Persons of Baltic Origin.

Legislative intent.—Section 9 of the act which added this chapter reads as follows: “It is the intent of the legislature that the powers and duties of the Maine development commission are hereby transferred to, and shall hereafter be exercised and performed by, the department of development of industry and commerce. Said commission shall transfer to said department all property, records and other data now in its custody. With respect to the year end closing at June 30, 1955, all encumbered balances of the Maine development commission shall be credited to the department and all appropriations to the commission made by the 97th legislature

shall be credited to the department. In the transition from the development commission operation to the department of development of industry and commerce operation, the legislature intends that the personnel of the commission shall be transferred to the department in such generally similar job responsibilities as may be consistent with the efficient organization of the department.

“It is further the intent of the legislature that the department shall assist, and be assisted by, the Maine publicity bureau in accordance with the provisions set forth in section 1 of chapter 22 of the private and special laws of 1937.”

Organization.

Sec. 1. Department created; commissioner.—There is hereby created a department of development of industry and commerce, hereinafter in this chapter called the “department.” The department shall be under the supervision and control of a commissioner of development of industry and commerce, hereinafter

in this chapter called the "commissioner." He shall be appointed by the governor with the advice and consent of the council for a term of 4 years and shall hold office until his successor is appointed and qualified.

The commissioner may be removed by the governor and council for cause. Any vacancy in said office shall be filled by appointment for a like term in the same manner as hereinbefore provided.

He shall receive such salary as the governor and council may determine. (1955, c. 471, § 1.)

Sec. 2. Powers and duties of commissioner.—The commissioner may employ such division chiefs, deputies, assistants and employees as may be necessary, subject to the provisions of the personnel law; employ or engage with the approval of the governor and council such outside technical or professional consultants as may be necessary or appropriate to assist the department in carrying out its functions; and may enter into contracts with other boards, commissions, departments and divisions of the state or with the university of Maine to assist him or any division of the department in carrying out the provisions of this chapter.

The commissioner may employ a state geologist to serve at the pleasure of the commissioner. The state geologist shall perform such duties as shall be required of him by law or assigned to him by the commissioner.

The commissioner shall organize a division of research and planning, a division of development, a division of recreational promotion and such other divisions as the commissioner may recommend and as may be approved by the governor and council. The commissioner and the commissioner of labor and industry shall from time to time confer on matters affecting the economic and social welfare of the state, including hours of labor, wages, industrial safety and regulatory decisions and orders.

The commissioner is authorized and empowered to accept for the state any federal funds apportioned under the provisions of federal law relating to urban planning and planned public works and to do such acts as are necessary for the purpose of carrying out the provisions of such federal law; and to accept from any other agency of government, individual, group or corporation such funds as may be available in carrying out the provisions contained herein. (1955, c. 471, § 1.)

Sec. 3. Cooperation with others.—The several officers, boards, commissions, departments and divisions of the state, and city and town officials may consult with the department and furnish or make available to it data and information within their knowledge or control. (1955, c. 471, § 1.)

Division of Research and Planning.

Sec. 4. Powers and duties.—The division of research and planning shall be empowered to:

I. Compile and maintain information useful to the development of all industries of the state concerning resources, sites, space, equipment, adequate housing, contracts, materials, transportation, markets, labor supply, population trends and other economic considerations.

II. Study specific problems peculiar to the industry and economy of Maine with a view towards the broader utilization of our natural resources and the development of new and improved industrial products and techniques, which studies shall be advanced by coordination of research with existing private and governmental agencies and education institutions, and may be advanced by contractual relations with persons or organizations familiar with the problems and equipped to conduct the needed research.

III. Study specific problems relating to agriculture and sea and shore fish-

eries, cooperating with the departments of agriculture and sea and shore fisheries and other existing governmental and private agencies in the development of new products and techniques which will tend to improve the economic condition of those engaged in these two endeavors.

IV. Assist in the preparation of reports upon request from the governor or any state department.

V. Prepare evidence and supporting data on types of industry on which special efforts should be made to locate them in Maine, with special attention to the possibilities in the fields of electronics, nuclear energy, plastics, and other industries based on recent technological developments.

VI. Prepare and from time to time revise and perfect a master plan for the physical development of the state. Such master plan, with any accompanying maps, plats, charts and descriptive matter, shall be designed with the general purpose of guiding and carrying forward such coordinated, effective and economic development of the state, with due respect to its topography, resources and its present needs and future possibilities, as will best promote the health, safety, order, convenience, welfare and prosperity of the people. Among other things such master plan shall tend to bring into suitable relation the use of land, soil, water and natural resources; the location and distribution of population and habitation; agriculture and forestry; recreational resources, facilities and opportunities; fishing and mining; trade and industry; ports, highways, railways, airways and every form of transportation, travel and communication; public institutions of every description, whether publicly or privately supported; water supply and disposal of sewage; and all such other developments and uses as will tend to avoid waste of the human, financial and physical resources of the state and to promote the above purposes.

VII. Act as the coordinating agency between the several officers, boards, commissions, departments and divisions of the state in matters relative to the physical development of the state, including the Maine port authority and Maine aeronautics commission, and review the proposals of said agencies in the light of their relationship to the master plan and incorporate the results of such reviews in the reports of the department; provided, that nothing in this section shall be construed as limiting the powers and duties of any officer, board, commission, department or division of the state.

VIII. Assist in planning any public or private project involving federal grants or loans; advise, confer and otherwise cooperate with municipal planning boards, agencies, officials, civic and other groups and citizens in matters relating to zoning, and planning relating to schools, housing, health, land use controls, assessment and taxation, and other objectives; initiate, encourage and assist local planning boards and other municipal agencies and officials in regional planning. (1955, c. 471, § 1.)

Division of Development.

Sec. 5. Powers and duties. — The division of development shall be empowered to:

I. Promote the welfare of existing industry and the location of new business and coordinate these activities with the efforts of public, private and other agencies.

II. Devise, initiate and prosecute an aggressive system of solicitation of and assistance for industrial prospects without the state, and prospects for industrial expansion within the state, utilizing field representatives and technicians in cooperation with citizens' groups, service organizations, chambers of commerce, and regional and municipal agencies and officials.

III. Maintain an office without the state for the receipt and dissemination of information concerning the attraction of new industries to the state.

IV. Disseminate information setting forth the commercial, agricultural, industrial, fisheries, recreational, labor market and other facilities and advantages of the state.

V. Promote the industrial development efforts of local communities by assisting in the formation of industrial foundations in cooperation with local agencies.

VI. Negotiate directly with existing industries seeking expansion within the state and providing them with technical assistance, with special emphasis in aiding the retention of an existing industry which might relocate outside of Maine.

VII. Help existing business to find markets, domestic or foreign, for their products. (1955, c. 471, § 1.)

Division of Recreational Promotion.

Sec. 6. Powers and Duties.—The division of recreational promotion shall be established to promote the recreational facilities of the state. The division is empowered to:

I. Advertise and publicly set forth and display the recreational resources, attractions and activities of the state.

II. Encourage and assist in the development and promotion of the recreational resources and facilities of the state by cooperating with other state agencies and public and private organizations.

III. Utilize the data prepared and gathered by the divisions of research and planning, and development, and cooperate with these two divisions in the advancement of the general well-being of the state. (1955, c. 471, § 1.)

Advisory Board.

Sec. 7. Composition of board.—There shall be established an advisory board, which shall consist of the governor, the commissioner of agriculture, the commissioner of inland fisheries and game, the forestry commissioner, the commissioner of sea and shore fisheries and 23 public members to be appointed by the governor with the advice and consent of the council. The public members shall consist of one resident of each of the counties and 7 members at large, and shall reflect as representative a cross-section of the economy of the state as is practicable. The governor and the said department heads shall hold office during their respective terms.

The public members of the Maine development commission shall continue to serve on the advisory council as the public members-at-large for the duration of the terms for which they were appointed to the said commission. Thereafter, the public members-at-large shall be appointed to fill vacancies as they occur for terms of 3 years.

Of the public members appointed hereunder to represent the counties, 5 shall have a term of one year, 5 shall have a term of 2 years and 6 shall have a term of 3 years. Thereafter, all public members appointed to represent the counties shall be appointed for terms of 3 years.

The governor, with the advice and consent of the council, shall fill any vacancy for the unexpired term. (1955, c. 471, § 1.)

Sec. 8. Duties and privileges.—The advisory board shall serve without compensation but may be reimbursed for their expenses incurred in the performance of their duties. They shall meet upon call of the commissioner, shall act in an advisory capacity in such areas of department activity and take such action relative to the attraction of out-of-state industrial prospects as may be requested by the commissioner, and may make such recommendations as to it may

seem appropriate. The commissioner shall consult with the commissioners of agriculture, inland fisheries and game, sea and shore fisheries and forestry in questions of departmental policies that may relate to their respective departments. The commissioners shall consult with the advisory board on questions of general allocations of departmental activities among or between the several activities of the department. (1955, c. 471, § 1.)

Building at Eastern States Exposition.

Sec. 9. Maine building at Eastern States Exposition.—The department shall operate and maintain the state of Maine building previously erected upon the grounds of the Eastern States Agricultural and Industrial Exposition, Inc., at West Springfield, Massachusetts, for the purpose of exhibiting, publicizing and advertising Maine's products and resources in agriculture, industry, fisheries, forests, wildlife and recreation. The department shall have complete control and supervision of all exhibits held in such building. (1955, c. 471, § 1.)

Persons of Baltic Origin.

Sec. 10. Statement of policy.—It shall be and is declared to be the policy of the state of Maine to encourage the settlement within its borders of displaced persons of Baltic origin; provided nevertheless that nothing herein contained shall be so construed as to discourage immigrants of other nationalities. (1955, c. 471, § 1.)

Sec. 11. Settlements.—The department is empowered and authorized to negotiate with the U. S. department of state, with the U. S. department of justice and with the United Nations or with any proper agency or department of the United Nations, to arrange for the settlement of this State of such displaced persons of Baltic origin who are able to buy, or who may have bought for them, private property within the state owned by private persons. (1955, c. 471, § 1.)

Chapter 39.

Maine Development Commission.

Secs. 1-6. Repealed by Public Laws 1955, c. 471, § 7.

Cross reference.— See c. 38-A, re present agency performing functions of Maine development commission.

Chapter 39-A.

Maine Mining Bureau.

Sec. 1. Mining bureau established.—The Maine mining bureau, as heretofore established, shall consist of 5 members, one each from the state department of agriculture and the forestry department, each of whom shall be appointed by the head of his respective department, the deputy secretary of state, the state geologist and the commissioner of the department of development of industry and commerce or such member of the staff or of his advisory board as he may designate. The state geologist, by virtue of his office, shall be the consultant to said bureau. They shall organize with a chairman, and a secretary who shall keep the records of their doings and such data regarding the mines in the state as may be useful. The jurisdiction of the bureau shall be confined to land owned or held in trust by the state. (1955, c. 409, § 1.)