

## CHAPTER 9

### SEAL, MOTTO, EMBLEMS AND FLAGS

#### SUBCHAPTER 1

#### GENERAL PROVISIONS

##### **§201. State seal**

The seal of the State is a shield, argent, charged with a pine tree (*Pinus strobus*) with a moose deer (*Alces alces*), at the foot of it, recumbent; supporters: on dexter side, a farmer, resting on a scythe; on sinister side, a sailor, resting on an anchor. [RR 2023, c. 1, Pt. C, §10 (COR).]

In the foreground, representing sea and land, and under the shield, is the name of the State in large Roman capitals, to wit:

MAINE. [RR 2023, c. 1, Pt. C, §10 (COR).]

The whole is surrounded by a crest, the North Star. The motto, in small Roman capitals, is in a label interposed between the shield and crest, viz.:--DIRIGO. [RR 2023, c. 1, Pt. C, §10 (COR).]

##### SECTION HISTORY

RR 2023, c. 1, Pt. C, §10 (COR).

##### **§202. Removal of, injury to, neglect of or refusal to deliver up state seal**

Whoever intentionally removes the seal of the State of Maine from the office or custody of the Secretary of State at Augusta, intentionally secretes, defaces, injures or destroys it or, having possession or control of the seal, intentionally neglects or refuses to deliver it to the Secretary of State upon demand is guilty of a Class C crime. [RR 2023, c. 1, Pt. C, §11 (COR).]

##### SECTION HISTORY

PL 1977, c. 696, §3 (RPR). RR 2023, c. 1, Pt. C, §11 (COR).

##### **§203. Use of state seal in any place but office of Secretary of State**

Whoever intentionally uses the seal of the State of Maine, or takes any impression therefrom, for any purpose, in any other place than the office of the Secretary of State at Augusta, or intentionally issues, or receives and acts under any commission, record, document, parchment, instrument or paper bearing the impression of the seal, knowing the same has not been sealed in the office of the Secretary of State at Augusta, shall be guilty of a Class D crime. [PL 1977, c. 696, §4 (RPR).]

##### SECTION HISTORY

PL 1977, c. 696, §4 (RPR).

##### **§204. Use of state seal for commercial purposes**

No imitation, imprint, representation, facsimile or copy of the seal of the State of Maine shall be used or displayed for commercial purposes by any person, firm or corporation, except by written permission of the Governor. Any person may sell flags containing the state seal or a facsimile of the state seal. Whoever violates any of the provisions of this section shall be guilty of a Class E crime. [PL 1977, c. 696, §5 (AMD).]

##### SECTION HISTORY

PL 1977, c. 696, §5 (AMD).

**§205. State motto**

The state motto shall be "Dirigo" (I direct or I guide).

**§206. State flag****(CONTAINS TEXT WITH VARYING EFFECTIVE DATES)**

**(TEXT IN EFFECT PENDING REFERENDUM: See PL 2023, c. 487, §3)** The flag to be known as the official flag of the State shall be of blue, of the same color as the blue field in the flag of the United States, and of the following dimensions and designs; to wit, the length or height of the staff to be 9 feet, including brass spearhead and ferrule; the fly of said flag to be 5 feet 6 inches, and to be 4 feet 4 inches on the staff; in the center of the flag there shall be embroidered in silk on both sides of the flag the coat of arms of the State, in proportionate size; the edges to be trimmed with knotted fringe of yellow silk, 2 1/2 inches wide; a cord, with tassels, to be attached to the staff at the spearhead, to be 8 feet 6 inches long and composed of white and blue silk strands. A flag made in accordance with the description given in this section shall be kept in the office of the Adjutant General as a model.

**(TEXT EFFECTIVE IF REFERENDUM PASSES: See PL 2023, c. 487, §3)** The flag to be known as the official flag of the State must be buff, charged with the emblem of the State, a pine tree proper, in the center, and the North Star, a mullet of 5 points, in blue in the upper corner; the star to be equidistant from the hoist and the upper border of the flag, the distance from the 2 borders to the center of the star being equal to about 1/4 of the hoist, this distance and the size of the star being proportionate to the size of the flag. A flag made in accordance with the description given in this section must be kept in the office of the Adjutant General as a model once approved by the Secretary of State. [PL 2023, c. 487, §1 (AMD); PL 2023, c. 487, §3 (AFF).]

**SECTION HISTORY**

PL 2023, c. 487, §1 (AMD). PL 2023, c. 487, §3 (AFF).

**§206-A. Prisoner of war - missing in action flag**

**1. Required.** The prisoner of war - missing in action flag must be flown in the following places until all those individuals designated as prisoners of war or missing in action are released or accounted for:

- A. Above the State House; [PL 2005, c. 658, §1 (AMD).]
- B. At each National Guard facility; and [PL 2005, c. 658, §1 (AMD).]
- C. At each courthouse owned by the State on Former Prisoner of War Recognition Day as designated by section 131 and the following national holidays:
  - (1) Armed Forces Day, the 3rd Saturday in May;
  - (2) Memorial Day, the last Monday in May;
  - (3) Flag Day, June 14th;
  - (4) Independence Day, July 4th;
  - (5) National POW/MIA Recognition Day, the 3rd Friday in September; and
  - (6) Veterans Day, November 11th. [PL 2005, c. 658, §1 (NEW).]

[PL 2005, c. 658, §1 (AMD).]

**2. Optional.** A municipality may display the prisoner of war - missing in action flag on a flag pole located at the main office building of the municipality whenever the flag of the United States is flown. A courthouse owned by the State may display the prisoner of war - missing in action flag on any day in addition to those required by subsection 1.

[PL 2005, c. 658, §1 (AMD).]

**SECTION HISTORY**

PL 1999, c. 302, §2 (NEW). PL 2005, c. 658, §1 (AMD).

**§207. Merchant and marine flag**

The flag to be known as the merchant and marine flag of the State shall be of white, at the top of which in blue letters shall be the motto "Dirigo"; beneath the motto shall be the representation of a pine tree in green color, the trunk of which shall be entwined with the representation of an anchor in blue color; beneath the tree and anchor shall be the name "Maine" in blue color.

**§208. State tree**

The official tree of the State shall be the white pine tree.

**§209. State bird**

The state bird shall be the chickadee.

**§210. State song**

The official song of the State shall be the song entitled "State of Maine Song," words and music by Roger Vinton Snow.

**§210-A. State march**

The official march of the State is the march entitled "The Dirigo March," written by Leo Pepin. [PL 2011, c. 536, §1 (NEW).]

**SECTION HISTORY**

PL 2011, c. 536, §1 (NEW).

**§210-B. State ballad**

The official ballad of the State is the ballad entitled "Ballad of the 20th Maine," as recorded and performed by the band The Ghost of Paul Revere and written by Griffin Sherry. [PL 2019, c. 250, §1 (NEW).]

**SECTION HISTORY**

PL 2019, c. 250, §1 (NEW).

**§210-C. State song of 21st century**

The official song of the State of the 21st century is the song entitled "My Sweet Maine," written by Terry Swett. [PL 2021, c. 38, §1 (NEW).]

**SECTION HISTORY**

PL 2021, c. 38, §1 (NEW).

**§211. State flower**

The floral emblem for the State, in the national garland of flowers, shall be the pine cone and tassel.

**§212. State fish**

The state fish shall be the landlocked salmon (*Salmo salar* Sebago). [PL 1969, c. 31 (NEW).]

**SECTION HISTORY**

PL 1969, c. 31 (NEW).

**§212-A. State heritage fish**

**1. Eastern Brook Trout.** The eastern brook trout, *Salvelinus fontinalis*, is a state heritage fish. [PL 2007, c. 21, §1 (NEW).]

**2. Arctic Charr.** The subspecies of the arctic charr, *Salvelinus alpinus oquassa*, also known as blueback charr, is a state heritage fish.

[PL 2007, c. 21, §1 (NEW).]

SECTION HISTORY

PL 2005, c. 180, §1 (NEW). PL 2007, c. 21, §1 (RPR).

**§213. Official mineral**

Tourmaline shall be designated as the official mineral for the State of Maine. [PL 1971, c. 50 (NEW).]

SECTION HISTORY

PL 1971, c. 50 (NEW).

**§214. State insect**

The honeybee shall be designated as the official insect for the State of Maine. [PL 1975, c. 271 (NEW).]

SECTION HISTORY

PL 1975, c. 271 (NEW).

**§215. State animal**

The state animal shall be the moose. [PL 1979, c. 234 (NEW).]

SECTION HISTORY

PL 1979, c. 234 (NEW).

**§216. State fossil**

"*Pertica quadrifaria*" shall be designated as the official fossil of the State of Maine. [PL 1985, c. 737, Pt. A, §3 (RPR).]

SECTION HISTORY

PL 1985, c. 22 (NEW). PL 1985, c. 73 (NEW). PL 1985, c. 737, §A3 (RPR).

**§217. State cat**

The state cat shall be the Maine coon cat. [PL 1985, c. 737, Pt. A, §4 (NEW).]

SECTION HISTORY

PL 1985, c. 737, §A4 (NEW).

**§218. State vessel**

The schooner "Bowdoin" shall be the official state vessel. [PL 1987, c. 703, §1 (NEW).]

SECTION HISTORY

PL 1987, c. 703, §1 (NEW).

**§219. State berry**

The wild blueberry (*vaccinium angustifolium*, aiton) is the official state berry. [PL 1991, c. 218 (NEW).]

SECTION HISTORY

RR 1991, c. 2, §1 (COR). PL 1991, c. 218 (NEW). PL 1991, c. 279, §2 (NEW).

**§220. Official state language of the deaf community**

American sign language is the official state language of the deaf community. [PL 1991, c. 279, §2 (NEW).]

#### SECTION HISTORY

RR 1991, c. 2, §1 (RNU). PL 1991, c. 279, §2 (NEW).

#### §221. State herb

The herb wintergreen (*gaultheria procumbens*) is the official state herb. [PL 1999, c. 27, §1 (NEW).]

#### SECTION HISTORY

PL 1999, c. 27, §1 (NEW).

#### §222. State soil

The Chesuncook soil series, a coarse-loamy, mixed, frigid, Typic Haplorthod, is the official state soil. [PL 1999, c. 70, §1 (NEW).]

#### SECTION HISTORY

PL 1999, c. 70, §1 (NEW).

#### §223. No enhanced protection

Designation as a state symbol under this subchapter does not confer enhanced protection under the environmental laws or any other applicable laws. [PL 1999, c. 70, §1 (NEW).]

#### SECTION HISTORY

PL 1999, c. 70, §1 (NEW).

#### §224. State soft drink

Moxie, a registered trademarked soft drink invented by Maine-born Dr. Augustin Thompson of Union that symbolizes spirit and courage, is the official state soft drink. [PL 2005, c. 136, §1 (NEW).]

#### SECTION HISTORY

PL 2005, c. 136, §1 (NEW).

#### §225. State treat

The whoopie pie, a baked good made of 2 cakes with a creamy frosting between them, is the official state treat. [PL 2011, c. 29, §1 (NEW).]

#### SECTION HISTORY

PL 2011, c. 29, §1 (NEW).

#### §226. State dessert

Blueberry pie, made with wild Maine blueberries, is the official state dessert. [PL 2011, c. 29, §2 (NEW).]

#### SECTION HISTORY

PL 2011, c. 29, §2 (NEW).

#### §227. State military history museum

The museum operated by the Maine Military Historical Society, or a successor organization, is the official state military history museum under the Department of Defense, Veterans and Emergency Management, Military Bureau and is known as the Maine Armed Forces Museum. [PL 2013, c. 463, §1 (NEW).]

SECTION HISTORY

PL 2013, c. 463, §1 (NEW).

**§228. State sweetener**

Pure Maine maple syrup is the official state sweetener. [PL 2015, c. 70, §1 (NEW).]

SECTION HISTORY

PL 2015, c. 70, §1 (NEW).

**§229. State crustacean**

The Maine lobster (*Homarus americanus*) is the official state crustacean. [PL 2015, c. 426, §1 (NEW).]

SECTION HISTORY

PL 2015, c. 426, §1 (NEW).

**§230. State rock**

Granitic pegmatite is the official state rock. [PL 2023, c. 15, §1 (NEW).]

SECTION HISTORY

PL 2023, c. 15, §1 (NEW).

**§231. State butterfly**

The Pink-edged Sulphur (*Colias interior*) is the official state butterfly. [PL 2023, c. 88, §1 (NEW).]

SECTION HISTORY

PL 2023, c. 88, §1 (NEW).

**SUBCHAPTER 2**

**UNIFORM FLAG LAW**

**§251. Short title**

This subchapter may be cited as the "Uniform Flag Law."

**§252. Definitions**

The words "flag," "standard," "color," "ensign" or "shield," as used in this subchapter, shall include any flag, standard, color, ensign or shield, or copy, picture or representation thereof, made of any substance or represented or produced thereon, and of any size, evidently purporting to be such flag, standard, color, ensign or shield of the United States or of this State, or a copy, picture or representation thereof.

**§252-A. Display**

The United States flag and State of Maine flag may be flown at half staff only at such times as specified by the President of the United States or the Governor of the State of Maine. [PL 2001, c. 162, §1 (AMD).]

When the Governor considers it appropriate, the Governor may authorize the United States flag and the State of Maine flag to be flown at half staff throughout a political subdivision or a specified location or locations. [PL 2001, c. 162, §1 (NEW).]

Any United States flag, except those flags having a historical significance, when being displayed must be in good condition at all times, not tattered, not torn and not discolored. [PL 2001, c. 162, §1 (AMD).]

#### SECTION HISTORY

PL 1973, c. 262, §1 (NEW). PL 1977, c. 696, §6 (AMD). PL 2001, c. 162, §1 (AMD).

#### §253. Desecration

No person shall, in any manner, for exhibition or display:

**1. Markings.** Place or cause to be placed any word, figure, mark, picture, design, drawing or advertisement of any nature upon any flag, standard, color, ensign or shield of the United States or of this State, or authorized by any law of the United States or of this State; or

**2. Expose to public view.** Expose to public view any such flag, standard, color, ensign or shield upon which shall have been printed, painted or otherwise produced, or to which shall have been attached, appended, affixed or annexed any such word, figure, mark, picture, design, drawing or advertisement; or

**3. Merchandise.** Expose to public view for sale, manufacture or otherwise, or to sell, give or have in possession for sale, for gift or for use for any purpose, any substance, being an article of merchandise, or receptacle, or thing for holding or carrying merchandise, upon or to which shall have been produced or attached any such flag, standard, color, ensign or shield, in order to advertise, call attention to, decorate, mark or distinguish such article or substance.

Any violation of this section shall be a civil violation for which a forfeiture not to exceed \$50 may be adjudged. [PL 1977, c. 696, §7 (RPR).]

#### SECTION HISTORY

PL 1977, c. 696, §7 (AMD).

#### §254. Mutilation

No person shall publicly or openly mutilate, deface, defile, defy, trample upon, or by word or act cast contempt upon any such flag, standard, color, ensign or shield. [PL 1973, c. 262, §2 (AMD).]

Any violation of this section shall be a Class E crime. [PL 1977, c. 696, §8 (RPR).]

#### SECTION HISTORY

PL 1973, c. 262, §2 (AMD). PL 1977, c. 696, §8 (AMD).

#### §255. Exceptions

This subchapter shall not apply to any act permitted by the statutes of the United States or of this State, or by the United States Army and Navy regulations, nor shall they apply to any printed or written document or production, stationery, ornament, picture or jewelry whereon shall be depicted said flag, standard, color, ensign or shield with no design or words thereon and disconnected with any advertisement.

#### §256. Interpretation

This subchapter shall be so construed as to effectuate their general purpose and to make uniform the laws of the states which enact them.

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