

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-eighth and Eighty-ninth
Legislatures

OF THE

STATE OF MAINE

From April 24, 1937 to April 21, 1939

AND

MISCELLANEOUS STATE PAPERS

Published by the Secretary of State, in conjunction
with the Revisor of Statutes in accordance with the
Resolves of the Legislature approved June 28, 1820,
March 18, 1840, March 16, 1842 and Acts approved
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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Eighty-ninth Legislature

1939

CHAP. 277

shall also report whenever the injured employee shall resume his employment, and the amount of his wages or earnings at such time. Any employer who wilfully neglects or refuses to make any report required by this section shall be subject to a penalty of not more than \$100 for each such neglect or refusal, to be enforced by the commission in an action of debt in the name of the state. In the event the employer has sent the report to the insurance carrier for transmission by such insurance carrier to the commission, the insurance carrier wilfully neglecting or refusing to transmit the report shall be liable for the said penalty.

Whenever any settlement is made with an injured employee, either by the employer or insurance company, for compensation covering any specified period under an approved agreement or a decree, or covering any period of incapacity, total or partial, that has ended, a duplicate copy of the settlement receipt or agreement signed by said employee showing the total amount of money paid to him for such period or periods shall be filed with the commission, but shall not be binding without its approval. ~~Any employer or insurance company that shall wilfully neglect or refuse to make such reports, pay any compensation due under any decree or approved agreement, or file any receipts or agreements as to settlements within ten days after being requested by the commission so to do, shall be liable to a forfeiture of ten dollars for each day of such wilful neglect or refusal, to be enforced by the commission in an action of debt in the name of the state.~~

Approved April 20, 1939.

Chapter 277

AN ACT Relating to the Compensation of the National Guard.

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

Sec. 1. R. S., c. 18, § 9, amended. The 1st paragraph of section 9 of chapter 18 of the revised statutes is hereby amended to read as follows:

'In case of insurrection, invasion, tumult, riot, mob or body of men acting together by force with intent to commit a felony, or to offer violence to persons or property, or by force and violence to break and resist the laws of this state or the United States, or of imminent danger thereof, or in the event of public disaster resulting from flood, conflagration or tempests, the governor shall have the power to order into the active service of the state or in aid of any civil authority the national guard or any part thereof ~~of the national guard~~ that he may deem proper. And whenever

the national guard of this state or a part thereof is called forth or drafted into federal service under the constitution and laws of the United States, the governor shall, unless the order for the call or draft specifies otherwise, order out for service the national guard or such part thereof as may be required; and if the number available be insufficient he shall order out the unorganized militia or such part as may be necessary. The designation of organizations called or drafted into the service of the United States shall not, during such service, be given to new organizations.'

Sec. 2. R. S., c. 18, § 46, amended. The 2nd paragraph of section 46 of chapter 18 of the revised statutes is hereby amended to read as follows:

'When the national guard, or any portion thereof, shall be called forth in aid of the civil authorities, or assembled in obedience to such calls, as provided for in section 9, all officers and men thereof shall receive the pay set forth in this section. ~~and such compensation and the necessary expenses incurred in quartering, caring for, transporting, and subsisting the troops as well as the expense incurred for pay, care, and subsistence of officers and enlisted men temporarily disabled in the line of duty, while on such duty, shall be paid by the county where such service is rendered.~~ The treasurer of such county shall, upon presentation to him of vouchers and pay rolls of such expenses and compensation, certified by the commanding officer of the organization or corps on duty in aid of the civil authority, in such county or counties, and approved by the adjutant general, forthwith execute in behalf of and in the name of such county a certificate or certificates of indebtedness for the money required to pay such vouchers and pay rolls; such certificates shall bear interest at the rate of not to exceed six per cent per annum, and shall be made payable on the first day of January following the expiration of two months from their issue, and the amount thereof shall be raised in the next tax budget of said county succeeding their issue, and applied to the payment of such certificates. Said county treasurer shall sell such certificates at public or private sale, and apply the proceeds thereof to the payment of such expenses and compensation. Any county treasurer or public officer, who shall neglect or refuse to perform any of the duties required by this section, shall be personally charged with the costs and all necessary disbursements of any action or proceeding brought to compel such performance, together with a reasonable additional allowance to the plaintiff or relator in such action or proceeding to be fixed.'

Approved April 20, 1939.