

MAINE STATE LEGISLATURE

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E I G H T Y - N I N T H L E G I S L A T U R E

Legislative Document

No. 243

H. P. 391

In Senate, January 26, 1939.

Referred to Committee on Pensions in concurrence.

ROYDEN V. BROWN, Secretary.

Presented by Mr. Bubar of Weston.

S T A T E O F M A I N E

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-NINE

AN ACT Relating to Maine State Prosperity Payments.

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

Sec. 1. Title. This law shall be known as "The Maine State Prosperity Payments Act—\$30 a Week for Life".

Sec. 2. Purpose of act. It is basic and essential to the spiritual, the mental and the material well-being of each and every individual citizen and to the whole body politic, and the 89th legislature does hereby declare it to be their responsibility to provide (1) that all available or producible goods, services, conveniences and comforts of daily living shall be produced in sufficient quantity and that such productions shall be adequately distributed among and delivered to the people, and (2) to further provide that no agricultural nor other products shall be intentionally or deliberately destroyed or permitted to waste, and that no capacity to produce goods, services, conveniences, or comforts shall be curtailed, limited or rendered non-productive by any means whatever so long as there remains any single unfulfilled human demand, and (3) the 89th legislature does further declare that any such intentional or deliberate curtailment or limitation or destruction of production is in violation of the public interest, and (4) that, therefore, all efforts to establish and maintain equitable exchange relationships shall be directed toward the stimulation of effective demand rather than the restriction of supply. It is evidenced by a constantly receding ratio of employment that the labors of a sizeable portion of the population

is either not acceptable or not necessary to either private industry, private enterprise, or to public service. It is not desirable and it is not in the interest of the general welfare that either private industry, private institutions or private persons should implement, govern or supervise any sort of distribution or allotment of goods to such persons as are disemployed or otherwise placed outside the sphere of "earnings" by force or circumstances over which such persons have no control. It is the purpose of this act that a proper distribution of existent or producible goods, services, conveniences and comforts shall be accomplished without detriment to any person and without taking away, confiscating or otherwise subtracting from the economic status of any person or group of persons.

It is furthermore the purpose of this act to make it possible for every man to own a home and not by necessity be compelled to live in a rented tenement or a roadside trailer, but that Maine shall be known as "Vacationland with every man a home."

Sec. 3. Office of administrator created. There is hereby created the office of "The Maine State Prosperity Payments Administrator."

Sec. 4. Appointment of administrator. Within 5 days after the adoption of this act the governor shall appoint either Hon. H. A. Tompkins, of Bridgewater, or Maurice F. Knowles, of Mars Hill, or Hon. J. H. Crowell, of Danforth, Maine, to serve as administrator for the term which shall begin on the day of such appointment and continue until his successor shall be elected and qualified in 1940. In the event that no one of the above named persons shall be able or willing to accept said appointment, then the governor may direct the treasurer of state to administer the provisions of this act until the general election in 1940.

If for any reason the governor shall fail to make the appointment of one of the persons named in this section within 5 days after the adoption of this act, then the first-named person on this list shall automatically become such appointee, and upon qualifying shall become the administrator; and if the first-named person on the list shall refuse to serve or fail to qualify then the second-named person on this list shall automatically become such appointee, and so on until the entire list is exhausted.

Sec. 5. Election; term. Beginning with the general election of 1940 the administrator shall be chosen by the vote of the electorate and said administrator shall serve for a term of 4 years or until his successor shall have been elected and qualified. The principal office of the administrator shall be in the city of Augusta.

Sec. 6. Powers. The administrator is hereby charged with the full power and authority and the command of the people of the state to carry out, supervise and administer the spirit and intent of this act and all the provisions thereof; and the administrator, the assistant administrators, and all deputies appointed or employed by the administrator shall have the power to administer oaths in connection with the administration of this act.

Sec. 7. Warrants. The administrator shall cause to be engraved and printed and issued certain serially numbered warrants of the state of Maine which shall be known as "MAINE STATE PROSPERITY WARRANTS OF THE STATE OF MAINE"; and he shall cause to be engraved and printed and issued certain serially numbered revenue stamps which shall be known as "Warrant Redemption Stamps". Said warrants shall be non-interest bearing, self-liquidating, negotiable and transferable without endorsement. Said warrants shall be in the denomination of \$1 each and the total number of warrants issued shall at all times be limited to the requirements of this act as hereinafter provided. Said warrant redemption stamps shall be in the denomination of 2 cents each, and they shall be issued in quantities ample and sufficient to provide for the warrant redemption requirements of this act as hereinafter provided. Said warrants shall be printed on the best quality bank check paper with suitable spaces on the back thereof for affixing 52 of the said warrant redemption stamps. Said warrants shall be no larger than 8 and $\frac{3}{4}$ inches in length and 3 and $\frac{3}{4}$ inches in width, and they shall be no smaller than 8 inches in length and 3 inches in width. Suitable spaces shall be printed on the backs of said warrants to indicate serially the proper places for affixing warrant redemption stamps to the end that on the following Thursday, after said warrants have been paid out for retirement compensation, as contemplated by this act, the first stamp shall be due to be affixed and that thereafter one stamp shall be due to be affixed each Thursday until a total of 52 stamps shall be due to be affixed, and said warrants, in the spaces designed for affixing stamps, shall set forth the day of the month and the year when each such warrant redemption stamp shall be due to be affixed, as for example: "Affix stamp here Thursday, July 6, 1939."

The face of each Maine State Prosperity Warrant shall be numbered serially and shall set forth substantially the following:

"This \$1 prosperity warrant will be accepted by the state of Maine for the payment of any licenses, taxes, fees, royalties and any and all other classes of debts or obligations of every kind and character due to the state or to any county or city in the state or to any board, district, commission, or other political sub-division of the state or of any subdivision of any

county or city of the state; provided that at the time this warrant is so offered in payment there shall be affixed 2 cent warrant redemption stamps for all due dates as set forth on the back thereof which are prior to such date of tender. Within 4 weeks after 52 2 cent warrant redemption stamps shall have become due and been affixed, this warrant will be redeemed by the state prosperity act administrator for \$1 lawful money of the United States, provided that this warrant is presented for redemption not later than 57 weeks after the date of its issue."

The administrator shall cause certain and sufficient sums of said prosperity warrants to be issued and paid out each week as compensation to each person who shall apply for and who is lawfully entitled to receive prosperity payments as hereinafter provided by sections 8, 9, 10, and 11; and to provide compensation for the administrator and his staff as provided by sections 26, 27 and 28 hereof; and for any other purpose required by the provisions of this act, and for no other purpose.

Sec. 8. Prosperity warrants. During an initial period of 18 weeks which shall begin on the 1st Thursday 12 weeks after the adoption of this act and which shall end 30 weeks after the adoption of the act, the administrator shall cause prosperity warrants to be issued and paid out as follows: To each person who is lawfully entitled to receive Prosperity payments as hereinafter provided by sections 9, 10 and 11 and who shall have filed his or her application on or before the beginning of said initial period: the sum of not less than fifteen \$1 warrants each week for the first 6 weeks, not less than twenty \$1 warrants each week for the second 6 weeks, not less than twenty-five \$1 warrants each week for the third 6 weeks; thereafter and following the close of said initial period of 18 weeks, and beginning with the 31st week after the adoption of this act, there shall be paid out to each such person each week not less than thirty \$1 warrants or their face value equivalent in lawful money of the United States, thus bringing all the compensation provisions of this act into full force and effect. Persons lawfully entitled to receive prosperity payments and who shall make application for the same during said initial period and prior to the 31st week, shall be enrolled and paid at the rate of payment which is in effect at the date of such application; and their payments shall be increased thereafter exactly the same as though they had been enrolled for the entire initial period, and persons filing their application during or after the 31st week after this act is adopted shall be enrolled and paid at the maximum rate of not less than thirty \$1 warrants or their face value equivalent in lawful money of the United States each week as long as such persons shall remain qualified recipients according to the provisions of this act. The adminis-

trator shall compute all such weekly prosperity payments upon the basis of average prices of consumer goods and rentals which prevailed in 1937, and in the event that the average price level of all consumer goods included by government surveys in computing index numbers of the consumer goods prices for the city of Portland, Maine, shall show an increase in any quarter over the average price level for that city for the entire year of 1937, then the number of \$1 warrants which the administrator shall pay out to each person each week shall be increased in the same proportion as the higher price level of consumer goods for the year 1937. Such increase in the number of warrants to be issued and paid out to each such person shall be reflected not later than 4 weeks following the publication of those reports which show the increase. In like manner the number of warrants so issued shall be decreased or increased in harmony with fluctuations in said price levels, but at no time shall the weekly prosperity payments fall below thirty \$1 warrants or their face value equivalent in lawful money of the United States to each person each week. Such increase in the number of warrants to be issued and paid out to each person each week shall be computed in even dollars. Fractional increases in price levels which when computed amount to less than 50c per person per week shall be disregarded, but fractional increases which when computed amount to 50c or more but less than \$1 per person per week shall be considered as \$1.

Four months after the first week's issue of \$1 warrants shall have been paid out, as provided by section 8, the administrator may in the manner directed for the engraving and printing of \$1 warrants by section 7, cause to be engraved and printed and issued a certain percentage of the prosperity warrants necessary to the payment provisions of this act, in denominations of \$5 and \$10 each and he shall cause to be engraved and printed and issued ample and sufficient quantities of warrant redemption stamps of corresponding denominations, to wit: 10c stamps for the \$5 warrants and 25c stamps for the \$10 warrants, the said stamps shall be sold and used to redeem all such larger denomination warrants. The exact proportions of \$1, \$5 and \$10 denomination warrants to be so issued shall be based upon consideration of public convenience and determined by the administrator, but at no time shall the total face-value of \$1 warrants so issued be less than $\frac{1}{5}$ of the total, nor the face-value of the \$5 warrants to be more than $\frac{2}{5}$ ths of the total, nor the total face-value of the \$10 warrants be more than $\frac{2}{5}$ ths of the total. Under no circumstances shall any recipient be compelled to accept warrants in other than \$1 denominations.

Sec. 9. Qualifications for prosperity payments. Every qualified elector of the state of Maine who has reached the age of 50 years or over is en-

titled to receive prosperity payments under the provisions of this act upon making proper application therefor. Said application for retirement prosperity payments must show upon the sworn statement of the applicant, (1) that the applicant is 50 years of age or over; (2) that he is a registered qualified elector of the state of Maine, or that he would have been able to qualify under the law as it stood at the adoption of this act; (3) that as long as he continues to receive prosperity payments under the provisions of this act, he will not be employed for salary or wages or other remuneration or upon a co-operative basis, and that he will not employ any person to engage for him in the production of goods and services for hire or for sale; (4) that he has been a legal resident of the state of Maine for not less than one year immediately preceding the date of adoption of this act; or (5) if he has become a legal resident of the state of Maine after the enactment of this act, that he has resided in this state for not less than 5 years immediately preceding his application for prosperity compensation. Any person who has ever been a citizen of the United States, either by birth or by naturalization, and who is otherwise qualified but who cannot qualify as an elector of the state of Maine because he or she has completed service of time in a penal or other institution or because of marriage to an alien, is entitled to receive prosperity payments.

Sec. 10. Discontinuance of payments. Any recipient of prosperity payments under this act may at any time give notice to the administrator of his desire to discontinue his receipt of said compensation and thereupon said compensation shall cease, but in the event application is made for resumption of said prosperity payments, the payments thereof shall be resumed upon the filing of an application showing compliance with all of the requirements of this act for receiving this prosperity compensation.

Sec. 11. Compensation for life. All persons receiving prosperity payments under this act shall continue to receive prosperity compensation for life, provided they remain residents and qualified electors of the state of Maine and provided they are continuously qualified to receive said compensation in accordance with the provisions of sections 9 and 10 hereof.

Sec. 12. Letter of credit. When any person applying for prosperity payments shall have qualified as provided in sections 9, 10 and 11, then and there said persons shall be assigned to that bank, agency or branch prosperity payments office, as hereinafter provided by section 20, which is most convenient to said person, and the administrator shall issue to said person a combination "letter of credit, payment record and identification" drawn on said bank or agency or branch office for the weekly sum of 30 or more \$1 warrants or such number of warrants as are provided by section 8, for

a period of 52 weeks or less. At the expiration of such period, the administrator, upon the surrender of such expired letter of credit, shall issue a new letter of credit for the ensuing 52 weeks and at the close of this and each succeeding 52 week period a new letter of credit shall be issued upon the surrender of the one just expired. The face of said combination letter of credit and payment record and identification shall set forth substantially as follows:

Drawn on
(Bank, agency or branch office)

Beginning with Thursday
(Date)

Any bank, agency or prosperity payments office of the state of Maine,
At sight, pay to the order of
(Name of person)

Who resides at
(Correct address)

“The sum of not less than thirty \$1 prosperity warrants of the state of Maine, or such number of prosperity warrants as are provided by section 8, of this act, and not more than the sum of the compensation computed and authorized each week by the State Prosperity Administrator of the state of Maine. At the time of each such payment the person whose signature appears hereon shall give his receipt for each such weekly payment, and he shall also endorse receipts for each such weekly payment, and he shall also endorse receipts for each such payment on the back thereof in the date spaces provided for that purpose. The bank or agency or Branch Prosperity Payments Office disbursing said payments shall enter the exact amounts so paid opposite each such endorsement in the space provided for that purpose. When the last herein authorized payment shall have been made, the holder hereof shall surrender this letter of credit in exchange for a new letter of credit for the ensuing 52 weeks.

Whenever the holder hereof shall for any reason cease to be a resident of the state of Maine this letter of credit shall immediately become null and void.”

The correct signature of the person to whom this letter of credit is issued is

.....
(Signature of Recipient)

Given under my hand and seal.

.....
(Prosperity Payments Administrator of the State of Maine)

Sec. 13. Prosperity warrants may be accepted as payment. The prosperity warrants shall be accepted in payment of any licenses, taxes, fees, royalties, or for the purchase price of real or personal property or for rents, or services, or for any and all other debts or obligations of every kind and character due to the state, or to any county or city, or to any board, district, commission or other political subdivision of this state or to any subdivision or any county or city of this state, provided that on the date these warrants are so offered in payment, all warrant redemption stamps due up to and including that date, are properly affixed.

Sec. 14. Fifty per cent of wages or salaries may be paid with warrants. All wages, salaries or other compensation payable to any official or employee of the state, or of any county or city or board, district, commission or other political subdivision of this state, or of any subdivision of any county or city of this state, shall be paid up to 50% of the amount of said wages or salaries with warrants, provided that the official charged with the payment of such wages or salaries has on hand sufficient warrants to pay 50% of such wages or salaries in warrants. In the event that a sufficient number of warrants are not available to pay 50% of such wages or salaries with warrants, then said paying or disbursing official shall prorate such warrants as are available for this purpose as equally as may be among the salaries to be paid. The administrator is not authorized by this section or otherwise to issue new warrants to be used for the purpose of paying such wages or salaries. Warrants to be thus disbursed shall be only those warrants which the official charged with the payment of such wages or salaries has received in the regular course of business.

Sec. 15. Duties of certain agents. Purchasing agents or any other official charged with the buying of supplies, equipment, or any other merchandise or services, or with making any contract for the purchase of supplies, equipment, merchandise or services for the state, or for any county or city or for any board, district, commission or other political subdivision of the state, or for any subdivision of any county or city of this state, shall prescribe and require that purchases or contracts made after the adoption of this act may be paid up to 50% of the total amount thereof with warrants.

Sec. 16. Receipts to be issued. Any state, county, city or other public official who accepts warrants in payment of the obligations mentioned in section 13 may deliver or present the same to the office of the administrator or his authorized agent before the next stamp is due thereon and shall receive from the administrator or his agent a receipt for said warrants. At any time thereafter this receipt may be surrendered to the administrator in exchange for new warrants current when such request is made. Such deposits or exchanges of partly stamped warrants for new warrants are intended to facilitate the use and flow of warrants, and the administrator may in the interim pay out such partly stamped warrants as prosperity payments or as salaries in lieu of new issues.

Sec. 17. Exchange of unserviceable warrants. Warrants which have become soiled, worn, torn or otherwise unserviceable either in the ordinary course of business, or through accident, may be presented at the office of the administrator and exchanged for new warrants of the issue that is current during that week, provided that the warrants so presented are fully and correctly stamped up to the date of such presentation.

Sec. 18. Warrants to be redeemed. Warrants which may be presented to the administrator for payment or redemption, if fully and correctly stamped with 52 warrant redemption stamps, shall be paid and redeemed by the administrator in lawful money of the United States in the sum of \$1 for each warrant, provided that such fully stamped warrants are presented for payment not sooner than 53 weeks and not later than 57 weeks from the date of issue.

Sec. 19. Exemption. If and when a sales tax or an income tax shall be enacted in Maine, no buyer nor seller of any merchandise or services shall be required to pay any sales tax to the state, or to any county or city or to any board, district, commission or any other political subdivision of the state or of any subdivision of any county or city of this state, where the payment for such merchandise or services is made entirely with warrants; and where merchandise or services are paid for partly with warrants and partly with some other medium of payment, that part which is paid with warrants shall be exempt from the payment of sales tax. The term "sales tax" does not within the meaning of this act mean or include "gasoline tax." No individual, partnership, firm, corporation or association shall be required to pay any income tax to the state of Maine on that per cent, of his or her total taxable income for any single year, which is equal to the per cent of prosperity warrants which shall have been received at their face value in trade or exchange by such individual, partnership, firm, corpora-

tion or association during said year, as for example: If a tax payer has accepted 35% of his total gross receipts for the year in prosperity warrants at their face value, then 35% of his total taxable income shall be exempt from state income tax.

Sec. 20. Agencies. The administrator shall appoint each and all state and national banks of deposit and branch bank offices which are located in the state of Maine to act as prosperity payment agencies, under his direction and supervision, and to serve the public in harmony with the intent and the provisions of this act. The administrator shall pay such agencies for service rendered at the rates of compensation hereinafter provided. In the event that for any reason any bank may not or cannot accept such agency appointment, then the administrator shall appoint one or more merchants to act as prosperity payment agents, provided that the place of business of such merchant or merchants shall be located within 1,000 feet of a state or national bank of deposit and provided there shall be appointed at least as many agencies as there are banks and branch offices in the state.

In the event that for any reason such banks or such merchants may not or cannot accept such agency appointments, or in the event that such agencies do not or cannot render service in accord with the provisions of the spirit and the intent of this act, then the administrator shall call in special session the "state board of economics," as hereinafter provided, and they shall consider and if they decide by a majority vote, that it is to the best advantage in carrying out the provisions of the spirit and intent of this act, they shall create what shall be known as "the credit clearings bank of the people of Maine." Said banking corporation shall be created and shall function, as near as possible, in accordance with the rules and regulations as set forth in what is known as "the credit clearings bank of the people of California," which is embodied in "the California state retirement life payments act—\$30—a week for life." Or the administrator is hereby directed to procure suitable ground floor space, to employ necessary assistant office managers and clerks, and to establish "branch prosperity payment offices" in the immediate vicinity of and not more than 1,000 feet removed from each such bank of deposit in the state; except that in congested areas where there are 2 or more such banks located within 5,000 feet of each other only one branch prosperity payment office shall be established.

Except in the case of localities in which no bank is located a special branch prosperity payment office may be established at the discretion of the administrator.

Sec. 21. Deposit; records. The administrator shall, from time to time, deposit with such prosperity payment agents as he may appoint, and with

such branch prosperity payment offices as he may establish (as provided in section 20 of this act), a sufficient quantity of prosperity warrants (as provided by section 7) to enable such agencies or branches to pay out, each Thursday of each week, the prosperity warrants which are due and payable to qualified persons who may present their letters of credit (as provided by section 12) to such agencies or branch offices for their compensation (as provided by section 8 of this act); and each such agency or branch shall keep accurate records and shall render receipts for, and audits of, such deposits and disbursements to the administrator at the close of business weekly or daily as the administrator may direct. The administrator shall maintain a system of agency deposits and accounting which will enable any retired person to draw his or her weekly payment at any "prosperity payment agency" or "branch" in the state of Maine upon presentation of his or her "letter of credit" either in person or by his agent.

Sec. 22. Sale of warrant redemption stamps. The administrator shall, from time to time, deposit with each prosperity payment agent and with each branch prosperity payment office a sufficient number of warrant redemption stamps to enable such agents or branches to supply the anticipated business needs of the neighborhood which is served by that particular agency or branch, and each such agency or branch shall sell to the public and collect for such stamps at the face value price in lawful money of the United States, and each such agency or branch shall keep accurate records and render receipts for and audits of such stamps and shall remit to the administrator all money received from the sale of such stamps, weekly or daily as the administrator may direct.

Sec. 23. Indemnity bond. Each agent other than a bank or branch thereof shall furnish indemnity bond in an amount satisfactory to the administrator, but in no case greater than the sum of \$10,000 and the cost of said bond shall be paid by the administrator.

Sec. 24. Commission. The administrator shall pay each "agent" appointed by him under section 20 of this act, a commission of 10c each week for each retired person assigned to said agent and a commission of 2% of all money collected for warrant redemption stamps sold by said agent; and all such commissions shall be paid weekly with either warrants or with lawful money of the United States whichever such agent may prefer.

Sec. 25. Service charge. Banks of deposit receiving prosperity warrants as deposits may charge not more than 2c for each warrant so deposited, as a service charge.

Sec. 26. Salary of administrator. The administrator shall receive an annual salary of not less than \$6000, to be paid weekly in equal installments, and to be paid in warrants. He shall within 15 days from the time of notice of his appointment take and subscribe to the constitutional oath of office and file the same in the office of the secretary of state and execute to the people of the state a bond in the penal sum of \$10,000 with corporate security or 2 or more sureties, to be approved by the governor of the state, for the faithful discharge of the duties of his office. The cost of said bond shall be paid by the state.

Sec. 27. Assistants. The administrator shall appoint 2 assistant administrators who shall each receive an annual salary of not less than \$5000, to be paid weekly in equal installments, and to be paid in warrants.

Sec. 28. Compensation of assistants. The administrator shall employ and fix the compensation of such other assistants, branch office managers, clerks and deputies as may be needed to discharge in proper manner the duties imposed upon him by law, including stenographic reporters to take and transcribe the testimony in any formal hearing or investigation before the administrator or authorized by him; and all such employees shall be paid at rates prescribed by the administrator but not less than that paid for similar work by other state departments, and they shall be paid with warrants. The compensation paid the administrator, the assistant administrators and to other persons employed by the administrator shall be adjusted quarterly to prevailing price levels in the same manner that prosperity payments are adjusted up or down as provided by section 8, but such compensations shall at no time be less than the minimum rates prescribed by sections 26, 27 and 28 hereof. Such assistant administrators, assistants, branch office managers, clerks, deputies, and stenographers shall perform such duties as the administrator shall assign to them. Each assistant administrator, assistant branch office manager, deputy and stenographer shall within 15 days after his appointment, take and subscribe to the constitutional oath of office, and file the same in the office of the secretary of state.

Sec. 29. Legal counsel. The administrator is authorized to appoint one chief legal counsel who shall receive an annual salary of \$6000 to be paid weekly in equal installments and to be paid in warrants. The attorney-general of the state of Maine shall render legal opinions to the administrator upon all questions of law relating to the construction or interpretation of this article or any other act or law under his jurisdiction, or arising in the administration thereof, that may be submitted to him by the ad-

administrator and shall assist the chief counsel for the administrator in all actions and proceedings brought by or against him under or pursuant to any of the provisions of this article or any other act under his jurisdiction.

Sec. 30. Advance of sums; repayment. Until sufficient funds are available from the sale of warrant redemption stamps to pay the operating expenses, costs of printing prosperity warrants, warrant redemption stamps, advertising as hereinafter provided by section 33 and all other costs of the administration of this act, said expenses shall be paid out of the general fund of the state treasury upon a warrant of the controller when requested by the administrator, provided that said expenses shall not exceed the sum of \$500,000. Such sums thus advanced shall be repaid to the state treasury out of the excess proceeds resulting from the sale of warrant redemption stamps and not required for the printing of warrants and stamps for administration expenses or for warrant redemption payments. Such repayments shall be made as rapidly as such excess funds are available for this purpose.

Sec. 31. Deposit. The administrator shall cause all money resulting from the sale of stamps or from other sources to be deposited for safe keeping in one or more of the banks in the state of Maine which have been designated as legal depositories for state funds.

Sec. 32. Apportionment. The total number of prosperity warrants issued or paid out, as provided by this act shall be limited to the exact quantity necessary to implement the compensation purposes herein provided. Whenever the amount of money collected from the sale of warrant redemption stamps shall exceed by 20% the amount needed to pay and redeem all outstanding warrants as they mature as provided by section 18, then such excess funds shall be used to repay the treasurer of state such sums as the treasurer may have advanced to the administrator, as provided by section 30, and thereafter such excess sums of money shall be apportioned in even dollars and paid out to the retired persons who are beneficiaries of this act, as a part of their weekly compensation, as for example, each retired person might be paid \$20 in warrants and the balance in lawful money of the United States.

Sec. 33. Instructions. Immediately upon the adoption of this act and prior to the first issue of prosperity warrants as provided in section 8, the administrator shall expend the sum of \$50,000 to acquaint and inform the public of the state of Maine of the coming issue of Maine prosperity warrants and warrant redemption stamps of their uses and acceptance by the state and counties and cities and other political subdivisions, and to

give appropriate directions to the public with reference to the affixing of stamps, redemption of warrants in lawful money of the United States at maturity and other similar instructions. The tenor of such advertising or informative matter shall be to create an understanding of and public confidence in the use of prosperity warrants, to stimulate their general acceptance and to urge widespread use of warrants in all fields of employment and business endeavor. Such advertising shall be placed in newspapers, on billboards and over the radio so as to reach the greatest centers of population; and these advertising expenditures in each county of the state shall be proportioned as nearly as may be to the ration of population in each county as compared with the entire population of the state.

Sec. 34. Storage. Warrants received for redemption or for reissue shall be mutilated, cancelled, filed and stored for a period of 3 years.

Sec. 35. Exemption from attachment. Prosperity payments and all compensation provided by this act shall not be alienated by any assignment, sale, mortgage or other hypothecation and shall be exempt from attachment or execution; and in case of bankruptcy such compensation shall not become a part of the bankrupt's estate nor pass to any trustee or other person acting on behalf of creditors. No person receiving prosperity payments or other compensation under the provisions of this act shall be required to use any part thereof for the support, care or maintenance of any relative or other person over the age of 21 years from whom he might otherwise legally be responsible.

Sec. 36. Waivers. Any person who is qualified to receive prosperity payments as provided by this article, and who shall make application therefor, shall thereby waive the right to receive any compensation provided by "the old age assistance act"; but such waiver of such right to receive compensation under the old age assistance act shall not take effect until actual payment of prosperity compensation shall have begun under the provisions of this act.

Persons who are eligible to receive prosperity payments provided by this act and who are also eligible to receive benefits under the old age assistance act, may elect to receive the benefits provided by this act or they may elect to receive the benefits provided by this old age assistance act, but they shall not be entitled to receive both benefits at the same time.

Sec. 37. Certain legal processes prohibited. No injunction or writ of mandate or other legal or equitable process shall ever issue to interfere

with the administration of this act or to prevent or to enjoin any provision of this act from going into effect.

Sec. 38. Nonpartisan office. The office of administrator shall be a nonpartisan office and the procedure for election shall be the same as for any other state office except that it shall be nonpartisan. Not less than 65 nor more than 100 signatures of qualified electors shall ever be required upon the nomination petition of any candidate for the office of administrator.

Sec. 39. Vacancies, how filled. In the event of the resignation or death of any administrator who shall be appointed, elected or otherwise selected or determined, the first assistant administrator shall automatically become the administrator, and in the event of his resignation or death then his first assistant administrator shall automatically become the administrator, and the same procedure shall be followed to fill any vacancy in the office of administrator between general elections. The administrator in naming his 2 assistant administrators shall designate the one that shall be known as the first assistant administrator.

Sec. 40. Printing of warrants. Unless the administrator shall otherwise direct, the state printer shall print the warrants, warrant redemption stamps, and all other printing of every kind and character which the administrator may require for the administration of this act. However, the administrator, at his own option, may purchase all or any part of said printed matter from private enterprise; or he may purchase or rent, install and operate such equipment as may be needed for the administrator and his employees to do all or any part of said printing, and in this event he may purchase the paper stock and supplies of every kind or character that may be necessary therefor.

Sec. 41. Forgery; punishment. Any person who shall knowingly prepare, use, circulate or otherwise distribute, with intent to defraud, any spurious, counterfeit, raised or altered prosperity warrant or warrant redemption stamp shall be guilty of forgery as defined by section 2, chapter 132, of the revised statutes and shall be punished as for forgery of a controller's warrant for the payment of money at the treasury.

Sec. 42. State board of economics; appointment. The governor shall appoint a state board of economics consisting of the Maine prosperity payments administrator who shall act as chairman, 2 members of the house of representatives, and 2 members of the Senate, the commissioner of agriculture, the bank commissioner, the commissioner of labor and 2

representatives, one of whom should be an employer, the other an employee from each 13 industries or economic activities and labor of the state including agriculture, manufacturing, retailing, wholesaling, mining, forestry, fisheries, petroleum, motion pictures, transportation, communication, banking and insurance. Said state board of economics shall meet in regular session in January and July of each year, and shall be charged with the duty of devising ways and means for equalizing the distribution of purchasing power in Maine to harmonize with the productions of the state of Maine to the end that producers shall find an adequate market for their productions of goods and services, and to the end that every citizen of Maine shall be lifted to the highest practicable plane of living. Said board shall further, if occasion requires, submit their recommendations of said board which shall be agreed to by a majority vote to the governor in the form of proposed legislation to be submitted by him to the people at the next general election, provided if such proposed measure is so presented on any date which shall be more than 1 year prior to the next general election, the governor shall call a special election to the end that the electorate may either accept or reject the recommendations of said board. In the event that the governor should fail or neglect to call such a special election within 30 days after said proposed legislation shall have been submitted to him, then the Maine prosperity payments administrator is hereby directed to call such special election after such publication of such proposed legislation as he may deem expedient. Should more laws or amendments than one be submitted at the same election, they shall be so prepared and distinguished, by numbers or otherwise that they can be voted upon separately. If the people shall approve or ratify any such law or amendment or any of them, by a majority of the qualified electors voting thereon, such laws or amendments shall become a part of the Maine state prosperity payments act—\$30 a week for life. Actual necessary expenses shall be paid the members of said board of economics for attendance upon regular or special meetings of said board, or meeting of standing committees of said board, and further, the members of said board who are not public officials shall be a per diem fee of not to exceed \$25 for attending meetings provided that expenses and fees shall be payable in warrants.

Sec. 43. Validity of act. If any section, subsection, sentence, clause or phrase of this act is in conflict with any of the provisions of this act, such section, subsection, sentence, clause or phrase is to the extent of such conflict hereby repealed.

Sec. 44. Definitions. Words used in this act in the present tense in-

clude the future as well as the present, words used in the masculine gender include the feminine and the neuter; and the neuter, the masculine and feminine; the singular includes the plural, and the plural the singular; "writing" includes "print," "engraving," "typewriting" and "planographing"; "oath" includes "affirmation"; the word "county" includes "city and county" and "territory" includes "district." When used in this act, the following terms shall, unless the context otherwise indicates, have the following respective meanings: The word "administrator" means the "Maine state prosperity payments administrator," whose office is created by this act; the word "warrant" means the warrants issued by the administrator in accordance with the provisions of this act.

Sec. 45. Constitutionality. In the event that any decision or order of any court shall hold invalid or unconstitutional any provision, section, subsection, sentence, clause or phrase of this act, or the application thereof to any person or circumstance, such decision or order shall not affect the validity of the remaining portions of this act; and the remaining portions of this act and the application of such provisions to other persons or circumstances shall not be affected thereby. The people of the state of Maine do hereby declare that they would have adopted this act and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

Sec. 46. Referendum. This act shall be submitted for approval or rejection to the duly qualified voters of the state of Maine at an election to be held on the 1st Monday of September, 1939. The municipal officers of the cities, towns and plantations in this state are hereby empowered and directed to notify the inhabitants of their respective cities, towns and plantations to meet in manner prescribed by law for calling and holding biennial meetings of said inhabitants for the election of senators and representatives to give in their votes upon this act, and the question shall be: "Shall the act relating to Maine State Prosperity Payments, be accepted?" and the inhabitants of said cities, towns and plantations shall vote by ballot on said question, those in favor of the act expressing it by making a cross within the square opposite the word "Yes" upon the ballots and those opposed to the act by making a cross within the square opposite the word "No" upon their ballots, and the ballots shall be received, sorted, counted, and declared in open ward, town and plantation meetings, and returns made to the office of the secretary of state in the same manner as votes for governor and members of the legislature, and the governor and council shall count the same, and if it shall appear that

a majority of the inhabitants voting on the question are in favor of the act, the governor shall forthwith make known the fact by his proclamation and thereupon this act shall become law. The secretary of state shall prepare and furnish to the several cities, towns and plantations ballots and blank returns in conformity with the foregoing act, accompanied by a copy thereof.