

# MAINE STATE LEGISLATURE

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## NINETY - EIGHTH LEGISLATURE

Legislative Document

No. 1389

S. P. 477

In Senate, March 21, 1957

Referred to the Committee on Judiciary, sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary

Presented by Senator Silsby of Hancock.

### STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-SEVEN

#### AN ACT to Correct Errors and Inconsistencies in the Public Laws.

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

**Sec. 1. R. S., c. 9, § 1, amended.** The 1st sentence of section 1 of chapter 9 of the Revised Statutes is hereby amended to read as follows:

'The provisions of ~~this section and the 7 following~~ sections 1 to 7, inclusive, shall apply to the election of all officers for whom ballots shall be cast pursuant to the provisions of chapter 5, and to the election of all officers to be voted for by the Legislature or either branch thereof, the board of aldermen, municipal officers, common council or city council of any city, to all caucuses and primary elections preliminary to any such other elections and to all candidates to be voted for at such elections, caucuses and primary elections.'

**Sec. 2. R. S., c. 9, § 4, amended.** Section 4 of chapter 9 of the Revised Statutes is hereby amended to read as follows:

**Sec. 4. Treasurer or political agent may pay certain expenses.** ~~Subject to the foregoing limitations, it~~ It shall be lawful for any treasurer or political agent, in connection with any election, caucus or primary election, to pay the following expenses:

- I. Of hiring public halls and music for conventions, public meetings and public primaries, and for advertising the same by posters or otherwise;
- II. Of printing and circulating political newspapers, pamphlets and books;
- III. Of printing and distributing ballots and posters;

**IV.** Of renting and furnishing rooms to be used by political committees, and for the reasonable entertainment and refreshment, exclusive of alcoholic beverages, of the members of such committees;

**V.** Of compensating clerks and other persons employed in committee rooms and at the polls;

**VI.** Of traveling expenses of political agents, committees and public speakers, and reasonable compensation to public speakers;

**VII.** Of radio and television;

**VIII.** Of necessary postage, telegrams, telephones, printing, newspaper advertising, express and conveyance charges. The term "conveyance charges" shall include the conveyance of electors to the polls.

No treasurer or political agent shall incur any expense for any purpose not authorized by this section.'

**Sec. 3. R. S., c. 9, § 5, amended.** The last sentence of section 5 of chapter 9 of the Revised Statutes is hereby amended to read as follows:

'This section shall not apply to primary elections held under the provisions of sections 15 to 51, **inclusive**, of chapter 4, nor shall it apply to candidates ~~who are their own political agents~~, the return required of such candidates under the provisions of ~~the following~~ section 6 being sufficient.

**Sec. 4. R. S., c. 10, § 22, sub-§ XXVIII-B, additional.** Section 22 of chapter 10 of the Revised Statutes, as amended by section 2 of chapter 405 of the public laws of 1955, is hereby further amended by adding thereto a new subsection to be numbered XXVIII-B, to read as follows:

**'XXVIII-B.** Wherever in the Revised Statutes or any legislative act a reference is made to several sections and the section numbers given in the reference are connected by the word "to," the reference includes both the sections whose numbers are given and all intervening sections.'

**Sec. 5. R. S., c. 10, § 27, sub-§ XI, amended.** Subsection XI of section 27 of chapter 10 of the Revised Statutes is hereby amended to read as follows:

**'XI.** The Director shall appoint, with the approval of the Legislative Research Committee, **an Assistant Director** and such technical assistants, and shall appoint, subject to the provisions of the Personnel Law, such clerical assistants, as may be necessary to carry out the provisions of sections 24 to 27, inclusive.'

**Sec. 6. R. S., c. 11, § 4, amended.** Section 4 of chapter 11 of the Revised Statutes is hereby amended to read as follows:

**'Sec. 4. Orders of Governor's Council to expire at end of its term.** Any order issued by the Governor and Council, except orders relating to the appointment of officers and employees of the State authorized by law, ~~of or~~ fixing their compensation, and orders authorizing contracts which may not be wholly performed during the term of the Council passing such orders, shall cease to be of any effect or validity at the end of the biennium for which the Council passing the order was elected.'

**Sec. 7. R. S., c. 14, § 70, amended.** The last paragraph of section 70 of chapter 14 of the Revised Statutes is hereby amended to read as follows:

'No person shall be arrested in a civil action, on mesne process, or execution, or on a warrant for taxes, on the day of annual Thanksgiving, the 19th day of April, the 30th day of May, the 4th day of July, the 1st Monday of September, ~~Armistice Veterans Day, November 11th or Christmas; and on~~ On the day of any military training, inspection, review or election, no officer or soldier required by law to attend the same shall be arrested on any such processes.'

**Sec. 8. R. S., c. 16, § 93, amended.** Section 93 of chapter 16 of the Revised Statutes is hereby amended to read as follows:

'**Sec. 93. State Tax Assessor may bring action to recover taxes.** The State Tax Assessor may bring an action of debt in his own name to enforce the lien on real estate created by section ~~3~~ 4 of chapter ~~92~~ 91-A, to secure the payment of state, county and forestry district taxes assessed under ~~section~~ sections 78 and 81 upon lands not liable to be assessed in any town. Such action shall be begun after the expiration of 8 months and within one year after the publication of the advertisement named in section 82. The proceedings shall be in accordance with section ~~93~~ 87 of chapter ~~92~~ 91-A, except that the preliminary notice and demand for payment of said tax as provided in said section shall not be required.'

**Sec. 9. R. S., c. 16, § 100, amended.** Section 100 of chapter 16 of the Revised Statutes is hereby amended to read as follows:

'**Sec. 100. Treasurer to issue warrants for taxes.** The Treasurer of State shall issue warrants or executions against delinquent towns, assessors, constables and collectors to enforce the collection and payment of state taxes in cases prescribed in chapter ~~92~~ 91-A.'

**Sec. 10. R. S., c. 16, § 115, amended.** The 1st sentence of section 115 of chapter 16 of the Revised Statutes is hereby amended to read as follows:

'Every corporation, person or association operating any railroad in the State under lease or otherwise shall pay to the State Tax Assessor, for the use of the State, an annual excise tax for the privilege of exercising its franchises and the franchises of its leased roads in the State, which, with the tax provided for in section ~~22~~ of chapter ~~92~~ 91-A, is in place of all taxes upon such railroad, its property and stock.'

**Sec. 11. R. S., c. 16, § 155, amended.** The 3rd sentence of the last paragraph of section 155 of chapter 16 of the Revised Statutes is hereby amended to read as follows:

'Notice and hearing of such appeal shall be given and held in the manner provided by section ~~44~~ 52 of chapter ~~92~~ 91-A.'

**Sec. 12. R. S., c. 16, § 268, amended.** The 2nd sentence of the 1st paragraph of section 268 of chapter 16 of the Revised Statutes, as amended by section 3 of chapter 126 of the public laws of 1955 and by section 5 of chapter 471 of the public laws of 1955, is hereby repealed and the following sentence enacted in place thereof:

**'Four members of said Council shall constitute a quorum for the transaction of all business and the carrying out of the duties of the Council.'**

**Sec. 13. R. S., c. 18, § 19, amended.** The 1st paragraph of section 19 of chapter 18 of the Revised Statutes is hereby amended to read as follows:

**'The Treasurer of State, with the approval of the Commissioner of Finance and Administration, the Bank Commissioner and the Commissioner of Education, shall invest and reinvest the principal of all funds derived or that may be derived from the sale and lease of lands reserved for public uses in accordance with the laws of the State governing the investment of funds of savings banks, as enumerated in subsections I to IX, inclusive, and paragraph A of subsection XII of section ~~42~~ 19-I of chapter 59.'**

**Sec. 14. R. S., c. 18, § 31, amended.** The 1st sentence of the 1st paragraph of section 31 of chapter 18 of the Revised Statutes, as amended by section 2 of chapter 271 of the public laws of 1955 and by section 2 of chapter 352 of the public laws of 1955 is hereby repealed and the following sentence enacted in place thereof:

**'All money received by the Treasurer of State from the Board of Registration in Medicine, the Board of Examiners in Physical Therapy, the Board of Examiners of Psychologists, the Board of Registration of Nurses, the Board of Examiners of Applicants for Admission to the Bar, the Board of Accountancy, the Board of Veterinary Examiners, the Board of Osteopathic Examination and Registration, the Board of Examiners of Funeral Directors and Embalmers, the State Board of Registration and Examination in Optometry, the Board of Dental Examiners, the State Board of Registration for Professional Engineers, the State Board of Architects, the Electricians' Examining Board, the Oil Burner-men's Licensing Board, the State Board of Barbers and Hairdressers, the Examiners of Podiatrists, the Board of Chiropractic Examination and Registration and the Board of Commissioners of Pharmacy shall constitute a fund, which shall be a continuous carrying account for the payment of the compensation and expenses of the members, the expenses of the Board and for executing the provisions of law relating to each board respectively, and so much thereof as may be required is appropriated for said purposes.'**

**Sec. 15. R. S., c. 22, § 13, amended.** The 13th paragraph of section 13 of chapter 22 of the Revised Statutes, as amended by section 1 of chapter 100 of the public laws of 1955 and by chapter 184 of the public laws of 1955, is hereby repealed and the following paragraph enacted in place thereof:

**'All motor vehicles owned and used by the State, any municipal corporation therein and all vehicles owned by an organized volunteer fire department and used exclusively for fire fighting purposes, and all motor vehicles loaned by automobile dealers to municipalities for use in driver education in the secondary schools shall be registered, but shall be exempt from the provisions of this chapter as to payment of registration fees except that when such vehicles are leased or rented for commercial purposes they shall be subject to payment of the fees as provided in this chapter. All such vehicles shall display registration plates as required by this chapter or approved by the Secretary of State. All motor vehicles and trailers owned by the State and under the supervision of the**

State Highway Commission shall be exempt from the provisions of this chapter as to registration and payment of registration fees. Such motor vehicles and trailers shall display a marker or insignia approved by the Secretary of State.'

Sec. 16. R. S., c. 22, § 48, amended. The 2nd paragraph of section 48 of chapter 22 of the Revised Statutes, as amended by section 1 of chapter 85 of the public laws of 1955 and by chapter 132 of the public laws of 1955, is hereby repealed and the following paragraph enacted in place thereof:

'All school buses shall bear upon the front and rear thereof a plainly visible sign "School Bus" in letters not less than 8 inches in height which shall be removed or covered when the vehicle is not in use as a school bus. This provision shall not apply to public buses while transporting school children together with regular passengers. Such standard "descriptive signs" shall be furnished at cost by the Department of Education.'

Sec. 17. R. S., c. 22, § 49, amended. The 1st paragraph of section 49 of chapter 22 of the Revised Statutes, as amended by chapter 100 of the public laws of 1955 and by section 11 of chapter 200 of the public laws of 1955, is hereby repealed and the following paragraph enacted in place thereof:

'An excise shall be levied annually with respect to each calendar year for the privilege of operating upon the public ways, each motor vehicle to be so operated, subject to the provisions of section 56, as follows: a sum equal to 23 mills on each dollar of the maker's list price for the first or current year of model, 16½ mills for the 2nd year, 12½ mills for the 3rd year, 9 mills for the 4th year, 5½ mills for the 5th year and 3 mills for the 6th and succeeding years. Whenever an excise tax has been paid for the previous calendar year on the same motor vehicle, the excise tax for the new calendar year shall be assessed as if the vehicle was in its next year of the model. Persons registering under the provisions of section 67, the state and political subdivisions thereof, municipalities registering motor vehicles for use in driver education in the secondary schools, volunteer fire departments, bona fide dealers or manufacturers of motor vehicles, which motor vehicles are solely for the purpose of demonstration and sale and which constitute stock in trade, holders of transit registration certificates, telephone and telegraph companies subject to the excise tax set forth in sections 125 to 132, inclusive, of chapter 16, express companies subject to the excise tax as set forth in sections 133 to 136, inclusive, of chapter 16, the vehicles of charitable, benevolent, literary and scientific organizations which are used exclusively in carrying on charitable, benevolent, literary or scientific work in this State, railroad companies subject to the excise tax set forth in sections 113 to 124, inclusive, of chapter 16, excepting motor buses used exclusively for the transportation of passengers for hire, shall not be subject to the excise. In all cases where the excise tax amounts to less than \$5, a minimum tax of \$5 shall be levied, except that for a bicycle with motor attached the excise tax shall be \$2.50. In respect to noncommercial vehicles on and after the 7th year of a model, the maximum amount to be levied as an excise tax under the provisions of this section shall be \$10.'

Sec. 18. R. S., c. 23, § 29-A, additional. Chapter 23 of the Revised Statutes is hereby amended by adding thereto a new section to be numbered 29-A, to read as follows:

**'Sec. 29-A. Motor vehicle registration fees in Swan's Island, Cranberry Isles, Isle au Haut, North Haven and Vinalhaven, apportioned.** Seventy-five per cent of all fees received by the State from the inhabitants of the towns of Cranberry Isles and Swan's Island in Hancock county, of the towns of Isle au Haut, North Haven and Vinalhaven in Knox county for the registration of motor vehicles shall be spent in said towns under the supervisions of the Commission on the roads in said towns, in each town according to the proportion the amount paid by its inhabitants bears to the amount paid by the inhabitants of all the towns mentioned in this section.'

**Sec. 19. P. & S. L., 1937, c. 99, repealed.** Chapter 99 of the private and special laws of 1937 is hereby repealed.

**Sec. 20. P. & S. L., 1939, c. 87, repealed.** Chapter 87 of the private and special laws of 1939 is hereby repealed.

**Sec. 21. R. S., c. 23, § 123, amended.** The last sentence of section 123 of chapter 23 of the Revised Statutes is hereby repealed, as follows:

~~'Provided, however, that wire or cable lines so constructed or affixed shall not be used for transmitting electricity without the borders of the state for the purposes of furnishing light, heat or power.'~~

**Sec. 22. R. S., c. 23, § 138, repealed and replaced.** Section 138 of chapter 23 of the Revised Statutes, as amended by chapter 38 of the public laws of 1955 and by section 3 of chapter 279 of the public laws of 1955, is hereby repealed and the following section enacted in place thereof:

**'Sec. 138. Permits.** No person, firm or corporation shall erect or maintain upon real property any outdoor advertising structure, device or display, including those now or hereafter existing, until a permit for the erection or maintenance of such structure, device or display shall have been obtained from the Commission. The provisions of this section shall not apply to outdoor advertising structures, devices or displays upon the property whereon the goods so advertised are manufactured or sold or the business or profession so advertised is carried on or practiced, or which advertise the real property upon which the same may be for sale or for rent, provided such structures, devices or displays shall not exceed 10 in number, and such structures, devices or displays shall be within 1,000 feet of the building wherein the goods advertised are manufactured or sold or the business or profession advertised is carried on or practiced, except that if such building is not adjacent to a public way designated by state or federal highway route numbers, said structures, devices or displays shall be within 300 feet from the junction of the nearest such highway and the traveled way, public or private, constituting the approach to said building, and such signs shall not exceed 2 in number or 200 square feet in total area. None of such signs shall be of an area greater than 100 square feet or shall endanger the safety of persons using the highways.'

**Sec. 23. R. S., c. 25, § 222, amended.** The 1st sentence of section 222 of chapter 25 of the Revised Statutes, as amended by chapter 390 of the public laws of 1955, is hereby further amended to read as follows:

'No school of barbering shall be approved by the Board until it shall attach to its staff a physician duly licensed to practice medicine in the state where the

school is located who shall instruct the students by lectures or demonstrations at least twice but not more than 4 times during the course on subjects of sanitation, sterilization, general anatomy and diseases, nor unless it has a minimum requirement of a continuous course of study of 1,000 hours distributed over a term of not less than 6 months, ~~or in lieu thereof has satisfactorily completed a course of instruction of 1,500 hours in not less than 9 months in a school of barbering approved by said Board~~ including practical demonstrations, written or oral tests and theoretical and practical instruction in sanitation, fundamentals for barbering, hygiene, histology of the hair, skin, face and neck, diseases of the skin, hair, glands and nails, massaging and manipulating the muscles of the upper body, hair cutting, shaving, and arranging, dressing, coloring, bleaching, tinting the hair, sterilization and the use of antiseptics, cosmetics and electrical appliances customarily used in the practice of barbering, which course of study and instruction shall be subject to the approval of said Board.'

**Sec. 24. R. S., c. 25, § 240, amended.** The 4th sentence of section 240 of chapter 25 of the Revised Statutes is hereby amended to read as follows:

'Any moneys heretofore or hereafter appropriated or allocated for ~~mothers' aid~~ ~~or~~ aid to dependent children are made available for the purposes of sections 234 to 246, inclusive.'

**Sec. 25. R. S., c. 30, § 68, amended.** The last sentence of the 1st paragraph of section 68 of chapter 30 of the Revised Statutes is hereby repealed, as follows:

~~'The present incumbent may serve until removed for cause as above provided.'~~

**Sec. 26. R. S., c. 32, § 17, amended.** The 1st sentence of section 17 of chapter 32 of the Revised Statutes is hereby amended to read as follows:

'There shall be appropriated annually from the State Treasury a sum of money not to exceed 2c per inhabitant of the State, and an additional sum of money equal to 5% of the amount contributed under the provisions of section 15 of chapter 86, and ~~an~~ additional ~~sum~~ sums of money as provided and limited by the provisions of section 14 of chapter 86, and of section 13 of chapter 87, which shall be known as the state stipend for aid and encouragement to agricultural societies and hereafter designated as the "stipend."'

**Sec. 27. R. S., c. 36, § 109, amended.** Section 109 of chapter 36 of the Revised Statutes, as amended by section 12 of chapter 473 of the public laws of 1955, is hereby further amended to read as follows:

**'Sec. 109. Expenses.** All expenses incurred under the provisions of sections 95 to 104, inclusive, and sections 109 to 111, inclusive, shall be paid from the funds raised and created by the tax assessed under the provisions of section 96. ~~The deputy forest commissioner shall receive annually the sum of \$700, to be paid from the funds provided under said section, in addition to the salary now provided for the clerk to the commissioner. The commissioner shall also receive from said funds the sum of \$6,667 per year in addition to the salary as now provided by law.'~~

**Sec. 28. R. S., c. 38, § 8, amended.** The 1st sentence of the 2nd paragraph of section 8 of chapter 38 of the Revised Statutes, as revised, is hereby amended to read as follows:



'The Commissioner shall appoint persons as coastal wardens who shall have qualified under the rules established in the Civil Service Code authorized under the provisions of sections 10 ~~or~~ to 15, inclusive, who shall continue to hold office according to the provisions of the Civil Service Code.'

**Sec. 29. R. S., c. 38, § 38, amended.** The 5th and 6th paragraphs of section 38 of chapter 38 of the Revised Statutes, as revised, are hereby amended to read as follows:

'Notice of the hearings to be held and the time and place thereof shall be published once a week for 2 successive weeks prior to the hearing in a newspaper published in the county where said hearing is to be held, and if no paper is published there, in the ~~Daily Kennebec Journal, a newspaper printed at Augusta;~~ **except state paper.** **Except** when an emergency has been declared, notice shall be published at least 5 days before the date of the hearing instead of 2 weeks.'

After hearing pursuant to the petition or emergency declared, the Commission shall make such regulations as may be deemed remedial of any adverse conditions proven to exist at the time of said hearing and shall establish the effective date of such regulations, which shall be at least 10 days after the date of hearing. The Commission shall cause the regulations to be reduced to writing and shall publish the same once in a newspaper published in the county where the waters are situated and which are affected thereby, or if no paper is published there, in the ~~Daily Kennebec Journal, a newspaper printed at Augusta~~ **state paper.** The Commission shall file a certified copy of said regulations with the Secretary of State and with the clerk of the Superior Court of the county in which the waters affected thereby are situated.'

**Sec. 30. R. S., c. 41, § 229, amended.** Section 229 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

'**Sec. 229. Fort Kent State Normal School.** The State Board of education shall maintain, for not less than 8 months annually, the ~~Madawaska Training School~~ **Fort Kent State Normal School** at Fort Kent for the purpose of training persons to teach in the public schools of Madawaska territory, so called, which school shall be under its control and direction in the same manner and to the same extent as the other state normal schools and teachers' colleges.'

**Sec. 31. R. S., c. 46, § 76, amended.** Section 76 of chapter 46 of the Revised Statutes is hereby amended to read as follows:

'**Sec. 76. Method of heating cars approved; penalty.** No passenger, mail or baggage car on any railroad in the State shall be heated by any method of heating or by any furnace or heater, unless such method or the use of such furnace or heater shall first have been approved in writing by the Public Utilities Commission; ~~provided, however, that in.~~ **In** no event shall a common stove be allowed in any such car; ~~and provided also, that any.~~ **Any** railroad corporation may, with the permission of said Commission, make such experiment in heating their passenger cars as said Commission may deem proper.'

**Any railroad corporation violating any provision of this section forfeits not more than \$500.'**

**Sec. 32. R. S., c. 46, § 78, repealed.** Section 78 of chapter 46 of the Revised Statutes is hereby repealed.

**Sec. 33. R. S., c. 52, § 5, amended.** Section 5 of chapter 52 of the Revised Statutes is hereby amended to read as follows:

**'Sec. 5. Powers of proprietors; manner of voting.** The proprietors have one vote for each share and may vote by proxy ~~for~~. For the breach of their by-laws they may impose penalties not exceeding \$30 for each offense; may purchase and hold real estate necessary for their purpose not exceeding \$30,000 in value; and with the written consent of the municipal officers they, or any person, may dig up or open any road for the purpose of laying their pipes or repairing or extending their aqueduct; but not so as to prevent the convenient passage of teams ~~and~~, carriages ~~and~~ motor vehicles.'

**Sec. 34. R. S., c. 53, § 84, sub-§ XI, amended.** Subsection XI of section 84 of chapter 53 of the Revised Statutes is hereby amended to read as follows:

**'XI.** The provisions of this section with reference to consolidation shall neither restrict nor enlarge the provisions of ~~section 4 of chapter 50 and~~ section 47 of chapter 44.'

**Sec. 35. R. S., c. 53, § 32, amended.** The 4th sentence of section 32 of chapter 53 of the Revised Statutes is hereby amended to read as follows:

'Directors must be and remain stockholders, except that a member of another corporation, ~~who~~ ~~which~~ owns stock and has a right to vote thereon, may be a director.'

**Sec. 36. R. S., c. 57, § 58, amended.** Section 58 of chapter 57 of the Revised Statutes is hereby amended to read as follows:

**'Sec. 58. Administration of ministerial and school funds.** The ministerial and school funds now held in trust by any town or by a corporation existing under the provisions of section 51 may be turned over to the Treasurer of State to be administered in accordance with the terms and provisions of such trust and which shall be invested by him in the same manner as provided for investments in securities enumerated in subsections I to IX, inclusive, of section ~~42~~ ~~19-I~~ of chapter 59; ~~such~~. Such town or corporation thereupon shall be relieved of any further duties or liabilities for such funds, provided such town, acting under an appropriate article in the warrant at any annual town meeting, shall vote to cause such funds to be entrusted to the Treasurer of State ~~as aforesaid~~.'

**Sec. 37. R. S., c. 59, § 185, amended.** The 1st sentence of section 185 of chapter 59 of the Revised Statutes is hereby amended to read as follows:

'The Bank Commissioner may authorize any association or corporation as described in section 184, duly established under the laws of another state, to carry on such business in this State, but said association or corporation shall not transact such business in this State unless it shall first deposit with the Treasurer of State the sum of \$25,000, and thereafter a sum equal to 15% of the deposits made in such association or corporation by citizens of the State, the amount of percentage of deposits so required to be determined from time to time by the Bank Commissioner; or in lieu thereof the whole or any part

of said sum may consist of any of the securities in which savings banks may invest, as regulated in section ~~42~~ 19-I, at their par value, and the said deposit shall be held in trust by said Treasurer for the protection and indemnity of the residents of the State with whom such associations or corporations respectively have done or may transact business.'

**Sec. 38. R. S., c. 60, § 71, amended.** Section 71 of chapter 60 of the Revised Statutes is hereby amended to read as follows:

**'Sec. 71. Capital and assets invested.** An amount equivalent to the aggregate par value of all issued and outstanding shares of capital stock of stock insurance companies incorporated in this State, or in the case of any such companies having no par value stock, an amount equivalent to the amount of capital represented by shares of no par value stock issued and outstanding, and such part of the surplus of such companies as the Commissioner may direct shall be invested in such manner and in such funds, stocks and bonds as savings banks of this State may invest, as provided in section ~~42~~ 19-I of chapter 59, and said insurance companies shall be restricted in their investments of the above amounts in the same manner as are the savings banks of this State.'

**Sec. 39. R. S., c. 61, § 2, sub-§ IX, repealed and replaced.** Subsection IX of section 2 of chapter 61 of the Revised Statutes, as enacted by chapter 427 of the public laws of 1955, is hereby repealed and the following enacted in place thereof:

**'IX. Shall licenses be granted in this city or town for the sale herein of malt liquor to be consumed on the premises of part-time hotels only?'**

**Sec. 40. R. S., c. 61, § 21, amended.** The 2nd paragraph of section 21 of chapter 61 of the Revised Statutes, as repealed and replaced by section 4 of chapter 355 of the public laws of 1955 and as amended by chapter 188 of the public laws of 1955, is hereby repealed and the following paragraph enacted in place thereof:

**'All purchase order forms are to be furnished by the Commission and all orders are to be executed in quintuplet. First, the wholesaler ordering malt liquor shall mail 3 copies to the Commission with a check for the amount of excise taxes required to cover the amount of the order. Thereafter, the wholesaler may mail the original copy of the order to the qualified brewery or wholesaler with whom he wishes to place his order. On receipt of the 3 copies and check for excise taxes, the Commission shall promptly receipt 2 copies and return one copy to the wholesaler and send one to the brewery or foreign wholesaler designated to receive the order and no brewery or foreign wholesaler shall ship or release malt liquor for delivery in Maine until notified by the Commission that the excise tax has been paid thereon in accordance with the provisions of this section and shall ship only to a licensed Maine wholesaler.'**

**Sec. 41. R. S., c. 63-A, § 1, amended.** The 9th paragraph of section 1 of chapter 63-A of the Revised Statutes, as enacted by section 1 of chapter 417 of the public laws of 1955, is hereby amended to read as follows:

**"Employee" shall mean any regular classified or unclassified officer or employee in a department, including teachers in the state teachers' colleges and**

normal schools and Madawaska training school, and for the purposes of this chapter, teachers in the public schools, but shall not include any member of the State Legislature or the Council or any Judge Justice of the Superior Court or Supreme Judicial Court who is now or may be later entitled to retirement benefits under the provisions of section 5 of chapter 103 and section 3 of chapter 106, nor shall it include any member of the State Police who is now entitled to retirement benefits under the provisions of sections 22 and 23 of chapter 15. Persons serving during any probationary period required under the Maine State Personnel Law and rules of the State Personnel Board shall be deemed regular employees for purposes of this definition. In all cases of doubt, the Board of Trustees shall determine whether any person is an employee as defined in this chapter.'

**Sec. 42. R. S., c. 89, § 17, repealed.** Section 17 of chapter 89 of the Revised Statutes is hereby repealed, as follows:

'Sec. 17. ~~Certain motor vehicle excise taxes adjusted. The county commissioners may cancel or adjust debts due from towns in their respective counties for motor vehicle excise taxes received from persons residing in unorganized territory. The provisions of this section shall apply only to debts due prior to January 1, 1950.~~

**Sec. 43. R. S., c. 89, § 216, amended.** The 12th paragraph of section 216 of chapter 89 of the Revised Statutes is hereby amended to read as follows:

'Recording a municipal tax lien in accordance with provisions of section 98 88 of chapter 92 91-A, §1.'

**Sec. 44. R. S., c. 91, §§ 99-A - 99-F, repealed and replaced.** Sections 99-A to 99-F, inclusive, of chapter 91 of the Revised Statutes, as enacted by chapter 42 of the public laws of 1955, are hereby repealed and the following enacted in place thereof:

#### 'Regional Planning.

**Sec. 99-B. Purposes.** The purpose of sections 99-B to 99-G, inclusive, shall be to enable municipalities and counties to join in the formation of regional planning commissions whose duty it shall be to prepare a coordinated plan for the development of a region, taking into account present and future needs, with a view toward encouraging the most appropriate use of land, such as for agriculture, forestry, industry, commerce and housing; the facilitation of transportation and communications; the proper and economic location of public utilities and services; the development of adequate recreational areas, the promotion of good civic design; and the wise and efficient expenditure of public funds. The aforesaid plan shall be made in order to promote the health, safety, morals and general welfare of the region and its inhabitants.

**Sec. 99-C. Formation of regional planning commissions.** Two or more municipalities having planning boards may, by ordinance or resolution adopted by the respective legislative bodies of said municipalities, become members of a regional planning commission.

Each municipality which shall become a member of a regional planning commission shall be entitled to 2 representatives on said commission. A municipality

with a population of over 20,000 but less than 100,000 shall be entitled to have 3 representatives on said commission, and a municipality with a population of over 100,000 shall be entitled to have 4 representatives on said commission. Population as set forth in this section shall be deemed to be determined by the last Federal census. Representatives to a regional planning commission shall be nominated by the planning board of each municipality from the residents thereof and shall be appointed by the municipal officers of each municipality.

In any county or counties in which a regional planning commission has been formed, the county may, by resolution of its county commissioners, become a member of said regional planning commission and shall be entitled to appoint 2 representatives on said commission.

The terms of office of members of a regional planning commission shall be for 4 years, but initial appointments shall be for 2 and 4 years. In municipalities entitled to 3 or more representatives, initial appointments shall be for 2, 3 and 4 years. Vacancies shall be filled for the remainder of the unexpired term in the same manner as original appointments.

Sec. 99-D. General powers and duties. A regional planning commission's powers shall be advisory, and shall generally pertain to the development of the region within its jurisdiction as a whole, or to problems which involve a combination of 2 or more municipalities or counties. Nothing in sections 99-B to 99-G, inclusive, shall be deemed to reduce or limit any of the powers, duties or obligations of planning boards in individual municipalities.

The area of jurisdiction of a regional planning commission shall include the areas of the respective municipalities forming such commission and may include all or part of any county which is a member of said regional planning commission.

It shall be the duty of a regional planning commission to prepare a comprehensive master plan for the development of the region within its jurisdiction, including the commission's recommendations, among other things, for the use of land within the region; for the general location, extent, type of use and character of highways, major streets, intersections, parking lots, railroads, aircraft landing areas, waterways and bridges, and other means of transportation, communication and other purposes; for the development, extent and general location of parks, playgrounds, shore front developments, parkways and other public reservations and recreation areas; for the location, type and character of public buildings, schools, community centers and other public property; and for the improvement, redevelopment, rehabilitation or conservation of residential, business, industrial and other areas.

A regional planning commission may authorize its employees or consultants to render assistance on local planning problems to any municipality or county which is a member of said regional planning commission. The cost of such assistance shall be paid entirely by the municipality or county to which the service is rendered or partly by said municipality or county and partly by any gift, grant or contribution which may be available for such work. Said commission shall keep a strict account of the cost of such assistance and shall provide such municipality or county with an itemized statement.

Sec. 99-E. Organization, officers and by-laws. A regional planning commission shall elect annually from among its members a chairman, vice-chairman and such other officers as it deems necessary. Meetings shall be held at the call of the chairman and at such other times as the commission may determine. A commission shall keep minutes of its proceedings and such minutes shall be filed in the office of the commission and shall be a public record. A commission may adopt such by-laws as it deems necessary to the conduct of its business.

Sec. 99-F. Finances. A regional planning commission shall determine on a reasonable and equitable basis the proportion of its costs to be borne respectively by each municipality or county which is a member of said commission. A commission may accept gifts, grants or contributions from any source, private or governmental, toward its work. Municipalities or counties are hereby authorized to appropriate funds to the use of a regional planning commission and to furnish to a regional planning commission legal or other services which it may deem reasonable. Failure upon the part of any municipality or county to pay its proportionate share of the cost as determined by a regional planning commission shall constitute a termination of such municipality's or county's membership on said commission. Municipalities or counties are hereby authorized to enter into contracts with a regional planning commission for the furnishing of funds or services in connection with the preparation of a comprehensive regional master plan and any special planning work to be done by a regional planning commission for any member municipality or county. Within the amounts appropriated to it or placed at its disposal by gift, grant or contribution, a regional planning commission may engage employees, contract with professional consultants, rent offices and obtain such other goods or services as are necessary to it in the carrying out of its proper functions.

Sec. 99-G. Relationship to local planning boards. A regional planning commission may assist the county or the planning board of any municipality which is a member of said commission to carry out any regional plan or plans developed by said commission.

A regional planning commission may make recommendations on the basis of its plans and studies to any planning board, to the legislative body of any city and to the selectmen of any town within its region, to the county commissioners of the county or counties in which said region is located, and to any State or Federal authorities.

Upon completion of a comprehensive master plan for the region or any portion of said comprehensive master plan, a regional planning commission may file certified copies of said comprehensive master plan or portion thereof with the planning board of any member municipality. Such planning board may adopt all or any part of such comprehensive master plan which pertains to the area within its jurisdiction as its own master plan, subject to the requirements of section 96.'

Sec. 45. R. S., c. 91, § 118-A, repealed and replaced. Section 118-A of chapter 91 of the Revised Statutes, as enacted by chapter 189 of the public laws of 1955, is hereby repealed and the following section enacted in place thereof:

'Sec. 118-B. Donations or gifts of money to a city or town. Whenever the municipal officers of any city or town are notified in writing by any person that

he intends to make a donation or gift of money, in behalf of said city or town, for the purpose of supplementing one or more specific appropriations already made, or, to reduce the tax assessment in respect to one or more specific appropriations already made, or, to reduce the permanent city or town debt, the municipal officers have authority to accept such donation or gift and cause same to be applied for the purpose or purposes stated by the donor. If, prior to the establishment of the tax rate, the assessors receive certification from the municipal officers that such a donation has been received and paid in to the treasury for the purpose of reducing the tax commitment, the assessors shall forthwith credit the one or more specific appropriations with the money received, in accordance with the instructions of the donor, and thus reduce the total commitment, before proceeding to establish the tax rate. The word "person" as used in this section shall be construed to import both the singular and plural, as the case demands, and shall include corporations, companies, societies, associations and charitable, benevolent and civic improvement trusts. This section shall not be so construed as to exclude cities and towns from accepting donations and gifts of any other character.'

Sec. 46. R. S., c. 91, § 120, amended. The 2nd sentence of section 120 of chapter 91 of the Revised Statutes, as amended by chapters 373 and 374 of the public laws of 1955, is hereby repealed and the following sentence enacted in place thereof:

'City and town officers and officers of quasi-municipal corporations shall hereafter invest all permanent funds including sinking funds, permanent school funds and money or credits deposited with them for perpetual care of lots in cemeteries, in the legal obligations of the United States of America; the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York and Pennsylvania, and the bonds of the several counties, cities and towns in the several states above named which are the direct obligation of said counties, cities and towns, and the bonds of water districts located in the State of Maine, and chartered and organized as quasi-municipal corporations under the laws thereof, which are the direct obligation of said water districts, and, except sinking funds, may invest any of said funds in accordance with the laws of the State governing the investment of the funds of savings banks as enumerated in section 19-1 of chapter 59, or may deposit the same, including sinking funds, on time deposit in banks or trust companies, organized under the laws of this State or of the United States, and in shares of loan and building associations and savings and loan associations organized under the laws of this State, and not otherwise; and unless otherwise specifically provided by the terms of the grant or bequest the annual income, only, shall be expended in performance of the requirements of the trust.'

Sec. 47. R. S., c. 91-A, § 44, repealed. Section 44 of chapter 91-A of the Revised Statutes, as enacted by section 1 of chapter 399 of the public laws of 1955, is hereby repealed, as follows:

~~'Sec. 44. Profits from state owned lands. In municipalities where the State owns land as the result of acquisition of such land through the use of federal aid funds under the Pittman Robertson Federal Aid to Wildlife Act and upon which natural products are sold or leased, 50% of the net profits re-~~

~~received by the State from the sale or lease of such natural products shall be paid by the State to the municipality wherein such land is located.~~

**Sec. 48. R. S., c. 94, § 21, amended.** The 1st sentence of the last paragraph of section 21 of chapter 94 of the Revised Statutes is hereby amended to read as follows:

'The provisions of this section shall not apply to administrative responsibility for relief of persons found in townships which have become ~~unincorporated~~ **deorganized** through an act to surrender their organization passed by the Legislature.'

**Sec. 49. R. S., c. 96, § 59, amended.** The 1st sentence of section 59 of chapter 96 of the Revised Statutes is hereby repealed and the following sentences enacted in place thereof:

'All assessments made under the provisions of section 56 shall create a lien upon each and every lot or parcel of land so assessed and the buildings upon the same, which lien shall take effect when the municipal officers file with the town clerk the completed assessment and shall continue one year thereafter. Within 10 days after they are made, the clerk of said city shall make out a list of all such assessments, the amount of each and the name of the person against whom the same is assessed, and he shall certify the list and deliver it to the treasurer of said city. If said assessments are not paid within 3 months from the date thereof, the treasurer shall sell, at public auction, such of said lots or parcels of land upon which such assessments remain unpaid, or so much thereof as is necessary to pay such assessments and all costs and incidental charges. He shall advertise and sell the same within one year from the time said assessments are made, as real estate is advertised and sold for taxes under the provisions of chapter 91-A, and upon such sale, shall make, execute and deliver his deed to the purchaser, which shall be good and effectual to pass the title of such real estate. The sum for which such sale shall be made shall be the amount of the assessment and all costs and incidental expenses.'

**Sec. 50. R. S., c. 96, § 134, amended.** The last sentence of the 1st paragraph of section 134 of chapter 96 of the Revised Statutes is hereby amended to read as follows:

'He shall advertise and sell the same within 2 years from the time said assessments are made, as real estate is advertised and sold for taxes under the provisions of chapter ~~99~~ 91-A, and upon such sale, shall make, execute and deliver his deed to the purchaser, which shall be good and effectual to pass the title of such real estate; the sum for which such sale shall be made shall be the amount of the assessment and all costs and incidental expenses.'

**Sec. 51. R. S., c. 97, § 43-A, repealed.** Section 43-A of chapter 97 of the revised statutes, as enacted by chapter 201 of the public laws of 1955, is hereby repealed.

**Sec. 52. R. S., c. 97, § 45-A, additional.** Chapter 97 of the revised statutes is hereby amended by adding thereto a new section to be numbered 45-A, to read as follows:



**Sec. 45-A. Transportation of explosives.** As a condition to the granting of a permit or license to transport explosives, the Insurance Commissioner may require that the vehicle used in transportation of explosives may be accompanied by a representative of the Commissioner, who shall be paid mileage by the person to whom the license is issued at the rate allowed to fire inspectors by the State for the use of his car. This condition is not applicable to loads of 4,000 pounds or less. Explosives referred to herein shall not include petroleum products.'

**Sec. 53. R. S., c. 97, §§ 48-A - 48-B, repealed.** Sections 48-A and 48-B of chapter 97 of the Revised Statutes, as enacted by chapter 358 of the public laws of 1955, are hereby repealed.

**Sec. 54. R. S., c. 97, §§ 47-A - 47-B, additional.** Chapter 97 of the Revised Statutes is hereby amended by adding thereto 2 new sections to be numbered 47-A and 47-B, to read as follows:

**Sec. 47-A. Construction permit, when required.** No person, firm or corporation shall construct a public building, schoolhouse, hospital, convalescent home, nursing home, theater or other place of public assembly to which admission is to be charged or any building to be state owned or operated, without first obtaining from the Insurance Commissioner a permit therefor. If any such building be damaged by fire or otherwise to the extent of 50% or more, no person, firm or corporation shall repair or reconstruct such building without first obtaining from the Insurance Commissioner a permit therefor. A request for a permit shall be accompanied by a true copy of the plans and specifications for such construction or reconstruction. The Commissioner shall issue a permit only if the plans comply with statutes and lawful regulations promulgated to reduce fire hazards.

**Sec. 47-B. Penalty.** Whoever shall construct or reconstruct a public building, schoolhouse, hospital, convalescent home, nursing home, theater or other place of public assembly to which admission is to be charged or any building to be owned or operated by the State, without first obtaining the permit required by section 47-A, shall be guilty of a misdemeanor, and on conviction thereof, shall be punished by a fine of not more than \$100.'

**Sec. 55. R. S., c. 100, § 19, amended.** The last sentence of the 1st paragraph of section 19 of chapter 100 of the Revised Statutes, as amended by chapter 136 of the public laws of 1955, is hereby further amended to read as follows:

'The original shall be signed by the investigator, and this and the duplicate, together with a bill from the claimant, ~~which~~ shall be mailed to the Commissioner of Agriculture or his duly authorized agent within 15 days from the date of investigation, and the triplicate shall be kept by the town clerk as his record.'

**Sec. 56. R. S., c. 112, § 87, amended.** Section 87 of chapter 112 of the Revised Statutes is hereby amended to read as follows:

**Sec. 87. Exemption from arrest on certain holidays.** No person shall be arrested in a civil action, on mesne process, or execution or on a warrant for taxes on the day of annual Thanksgiving; the 19th day of April; the 30th day of May; the 4th of July; the first Monday of September; ~~Armistice~~ **Veterans**

day, November 11th; or Christmas; and on the day of any military training, inspection, review or election, no officer or soldier required by law to attend the same shall be arrested on any such processes.'

**Sec. 57. R. S., c. 113, § 76, amended.** The last sentence of section 76 of chapter 113 of the Revised Statutes is hereby amended to read as follows:

'A city or town in an action by a delinquent taxpayer may set off any unpaid taxes against any properly authorized payment to which the taxpayer is entitled, provided ~~that~~ prior to trial the amount shall have been paid to the tax collector and a receipt in writing shall have been given to the person taxed, as prescribed in section ~~86 106~~ of chapter ~~92 91-A~~.'

**Sec. 58. R. S., c. 120, § 22, amended.** Section 22 of chapter 120 of the Revised Statutes is hereby amended to read as follows:

'**Sec. 22. Owner of judgment may have disclosure any time.** The owner of any judgment remaining unsatisfied in any part may have a disclosure of the business and property affairs of any judgment debtor, including corporations, at any time, by proceedings as ~~hereinafter~~ provided, but married women, and officers of judgment debtor corporations, and judgment debtors not liable to arrest ~~as provided in section 146 of chapter 92 or~~ by virtue of proceedings under sections 6 or 8, thus cited, shall not be arrested except for contempt or upon *capias* issued to bring them before the magistrate as provided by section 34.'

**Sec. 59. R. S., c. 154, § 40, amended.** Section 40 of chapter 154 of the Revised Statutes is hereby amended to read as follows:

'**Sec. 40. End of receivership.** If at the expiration of said 14 years said property has not been accounted for, delivered or paid over under the provisions of ~~the preceding~~ section 39, the court shall order the distribution of the remainder to the persons to whom, and in the shares and proportions in which, it would have been distributed if said absentee had died intestate within the State on the day 14 years after the date of the disappearance or absconding as found and recorded by the court, except that said receiver shall deduct from the share of each distributee and pay to the ~~attorney general~~ **State Tax Assessor** for the use of the State such amount as said distributee would have paid in an inheritance tax to the State if said distributee had received the property by inheritance from a deceased resident of this State.'