

MAINE STATE LEGISLATURE

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Acts and Resolves

As Passed by the

Seventy-Ninth Legislature

OF THE

STATE OF MAINE

AT THE

SPECIAL SESSION

November 4-8, 1919

Supplementary to the Acts and Resolves of the Regular Session.

Published by the Secretary of State, in accordance with the Resolves of the
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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Seventy-Ninth Legislature

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Supplementary to Public Laws of the Regular Session

[supplied from page 3 of volume]

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by the expenditure of funds received under this act shall be made to conform to the standard of construction as shall be agreed upon by the selectmen, or officials acting in the same capacity, in the respective towns where the provisions of this act applies, and such standard of construction must meet the approval of the state highway commission.

Sec. 6. Highway commission to cooperate with municipal officers; no money to be paid by state until work has been inspected and accepted by highway commission. The state highway commission shall cooperate with the municipal officers in the execution of improvement work under this act. No money shall be paid by the state on account of work performed under this act until the work has been inspected and accepted by the state highway commission.

Sec. 7. Highways to be maintained by town; twenty-five per cent of apportionment may be used for maintenance. Roads constructed under the provisions of this act must be suitably maintained by the town, under penalty of forfeiture of right of the town to receive the benefit of future apportionments under this act. A sum not to exceed twenty-five per cent. of any year's apportionment to a town under the provisions of this act may be used for maintenance of road constructed under the provisions hereof.

Sec. 8. State aid highway fund and state highway fund. Two hundred thousand dollars of the amount herein named shall be added to the fund of three hundred thousand dollars for state aid construction as provided in section thirty-four, chapter twenty-five of the revised statutes, and shall be applied to the construction of state aid highways and shall be called state aid highway fund. The balance of said Mill Tax Highway Fund shall be used exclusively for the construction or maintenance or both, of state highways as provided in chapter twenty-five of the revised statutes and shall be called state highway fund; except so far as may be necessary to carry out the provisions of this section and meet the requirements of the national government in order for the state to receive federal aid for highway construction, the state highway fund shall be expended equitably among the several counties of the state by the state highway commission.'

Approved November 8, 1919.

Chapter 264.

An Act to Provide for the Payment of a Bonus to Maine Soldiers and Sailors in the War with Germany.

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

Sec. 1. Soldiers in war with Germany entitled to bonus of \$100. In order to promote the spirit of patriotism and loyalty, in testimony of the

gratitude of the State of Maine, and in recognition of the splendid services of Maine men in the war with Germany, every soldier, as hereinafter defined, who served during the war at any time from April sixth, nineteen hundred and seventeen, to November eleventh, nineteen hundred and eighteen, inclusive, shall be entitled to receive from the State of Maine, from a fund hereinafter created and called "The Soldiers' Bonus Fund", the sum of one hundred dollars.

Sec. 2. The term "soldiers" defined. The word "soldier" as used in this act shall mean any officer, soldier, sailor, marine, nurse, or any other person regularly enlisted, who has been or is a part of the military or naval forces of the United States in the war with Germany and who was a resident of the State of Maine at the time he was commissioned, enlisted, inducted, appointed or mustered into the military or naval service of the United States, and who has been or may be given an honorable or ordinary discharge or release from such service; provided, however, that the word "soldier", as used in this act, shall not be construed to mean, and shall not include any person who, at any time during the period of the war with Germany, sought to avoid service because of conscientious objections thereto, or because of alienage, or who has been at any time guilty of fraud or wilful violation or evasion of the Selective Service Act or of the rules or regulations of the War Department in force thereunder.

Sec. 3. Application for bonus when and where filed; what application shall contain. Applications for such bonus shall be filed with the adjutant general, on forms provided by him, within six months from the date this act goes into effect; or, in the case of an applicant whose final discharge from service is received after the date this act goes into effect, within six months after the date of such discharge. Such application shall state facts sufficient to establish the status of such applicant as soldier as defined herein, and shall be duly verified.

Sec. 4. "Soldiers' Bonus Board" created, powers and duties. There is hereby created a board to be known as "The Soldiers' Bonus Board", to consist of the state auditor, the state treasurer, and the adjutant general. It shall be the duty of the said board to examine into such applications and make any other examination necessary to establish facts, and approve or disapprove the same. Whenever any such application is approved by said board it shall be the duty of the adjutant general to prepare a voucher and transmit the same to the state auditor; said auditor shall issue his certificate therefor, for the amount stated therein, and the state treasurer shall pay the same upon warrant of the governor and council out of said Soldiers' Bonus Fund.

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Sec. 5. Bond issue authorized to provide funds; how fund shall be designated; bonds to mature within ten years of issue. For the purpose of carrying out the provisions of this act, the treasurer of state is hereby authorized, with the approval of the governor and council, to issue bonds or notes from time to time as they are needed, to an amount not exceeding in the aggregate three million dollars. Such bonds or notes shall be designated "Maine Military Service Loan, Act of 1919", shall mature not more than ten years from the date thereof, and shall bear such rate of interest, and be in such form and on such terms and conditions, other than those herein specified, as the governor and council may determine. Said bonds or notes shall be issued in the name and behalf of the state, and shall be deemed a pledge of the faith and credit of the state. The proceeds of the sale thereof shall be deposited with the state treasurer to the credit of a fund hereby created, which fund shall be known as "The Soldiers' Bonus Fund", and from which the payments hereby authorized shall be made.

Sec. 6. How funds shall be provided for retirement of bonds. The amount necessary to pay said bonds or notes as they mature, and the interest as it accrues, shall be raised by state taxes, levied and collected in the same manner as other state taxes are levied and collected. Beginning April first, nineteen hundred and twenty-one, and for each and every succeeding year for nine years, there shall be raised a sum sufficient for the redemption of such bonds or notes to an amount not exceeding three hundred thousand dollars per year and such additional sum as may be required for the payment of interest on all such bonds or notes outstanding. The sums so levied and collected shall be placed in the said Soldiers' Bonus Fund, and redemption of said bonds or notes and payment of the interest thereon shall be made from said fund.

Sec. 7. Board authorized to employ assistance for administration. The Soldiers' Bonus Board, the state auditor, the adjutant general, and the state treasurer are hereby empowered, with the approval of the governor and council, to employ such assistance and to incur such other expense as may be necessary for the administration and the carrying out of the provisions of this act; and the funds necessary for such administration and carrying out of the provisions of this act shall be expended from said Soldiers' Bonus Fund.

Sec. 8. In case of decease of "soldier", bonus to be paid to dependents; order of precedence; bonus not subject to assignment nor to claims of creditors. In the case of the decease of any person who would if alive be entitled to the benefits of this act, the sum herein named shall be paid to his dependents, if any, and otherwise to his heirs-at-law; provided, that if there is more than one dependent, or heir-at-law, payments shall in either

case be made in such proportions as the said Soldiers' Bonus Board shall determine, and in determining the order of precedence the following order so far as practicable shall be observed: wife and children, mother or father, brother or sister, other dependents; provided, however, that no right or payment under this act shall be subject to the claims of creditors, capable of assignment and no assignment of the same shall be valid or binding, regarded as assets legal or equitable of the estate of the deceased or made the basis for administration thereof.

Sec. 9. Conditional upon adoption of constitutional amendment; act to become effective upon same date as constitutional amendment. This act shall take effect only upon the adoption in September, nineteen hundred twenty, of the proposed amendment to article nine of the constitution providing for the issuing of state bonds for the purpose of paying a bonus to Maine soldiers and sailors in the war with Germany; and in case of such adoption, shall take effect on the day said constitutional amendment becomes effective.

Approved November 8, 1919.