

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-first Legislature

OF THE

STATE OF MAINE

1923

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OF THE
STATE OF MAINE

As Passed by the Eighty-First Legislature

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eighty-nine, public laws of nineteen hundred and twenty-one, as is inconsistent with the provisions of this paragraph is hereby repealed.'

Approved April 6, 1923.

(Further amended by Chapter 225.)

Chapter 215.

An Act to Amend Section Fifty-nine of Chapter Two Hundred Nineteen of the Public Laws of Nineteen Hundred Seventeen, as Amended by Chapter Two Hundred Forty-four of the Public Laws of Nineteen Hundred Seventeen, and by Chapter One Hundred Ninety-six of the Public Laws of Nineteen Hundred Nineteen, and by Chapter Two Hundred Eighteen of the Public Laws of Nineteen Hundred Twenty-one, Relating to Non-resident Hunters' Licenses.

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

P. L., 1917, c. 219, sec. 59; 1917, c. 244; 1919, c. 196; 1921, c. 218; relating to non-resident bird hunting license, amended. The first sentence of the second paragraph of section fifty-nine of chapter two hundred nineteen, of the public laws of nineteen hundred seventeen, as amended by chapter two hundred forty-four of the public laws of nineteen hundred seventeen, and by chapter one hundred ninety-six of the public laws of nineteen hundred nineteen, and by chapter two hundred eighteen of the public laws of nineteen hundred twenty-one, is hereby amended by striking out the word "first," in the fourth line of said sentence, and by inserting in place thereof the word 'fifteenth,' so that said sentence, as amended, shall read as follows:

'Time limit of license extended to Oct. 15th. Provided, further, that to hunt ducks and other birds and wild animals in their respective open seasons, and in the manner provided by law, in the counties of Aroostook, Washington, Hancock, Penobscot, Piscataquis, Somerset, Franklin and Oxford, up to October fifteenth of each year a license fee of five dollars shall be paid annually, and the license issued upon payment of such fee shall be known as the non-resident bird hunting license.'

Approved April 6, 1923.

Chapter 216.

An Act to Amend Chapter Twenty-five of the Revised Statutes as Enlarged and Amended by Chapter Two Hundred and Fifty-eight of the Public Laws of Nineteen Hundred and Seventeen, and Chapter Two Hundred and Twenty and Two Hundred and Sixty-three of the Public Laws of Nineteen Hundred and Nineteen, Relating to State Highways and to the Creation and Expenditure of the Mill Tax Highway Fund.

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

Sec. 1. R. S., c. 25, sec. 36; P. L., 1917, c. 258; 1919, c. 220; 1919, c. 263, sec. 1; relating to creation of mill tax highway fund and expenditure

thereof, amended. Chapter two hundred and fifty-eight of the public laws of nineteen hundred and seventeen added a section, to be known as section thirty-six, to chapter twenty-five of the revised statutes as theretofore amended. Chapter two hundred and twenty of the public laws of nineteen hundred and nineteen amended said section thirty-six as was in said chapter indicated. Chapter two hundred and sixty-three of the public laws of nineteen hundred and nineteen, special session November fourth to eighth, nineteen hundred and nineteen, amended said chapter two hundred and twenty of the public laws of nineteen hundred and nineteen as set forth in said chapter two hundred and sixty-three. Said chapter two hundred and sixty-three of the public laws of nineteen hundred and nineteen, special session, is hereby amended as follows: on pages thirty, thirty-one and thirty-two of the acts passed at said special session, as printed in the special laws enacted at said session, appears sections one, two, three, four, five, six, seven and eight. Section one on page thirty is hereby amended by striking out in the fourth line thereof the words "or maintenance or both of" and substituting therefor the words 'of third class'; and by striking out of said section in the fifth line thereof between the words "not more than" and the words "of the fund" in the sixth line the words "one-sixth" and substituting therefor the words 'one hundred thousand dollars'; so that said section, as amended, shall read as follows:

'Sec. 1. Mill tax fund to be used in construction of third class highways, except \$100,000 for highways and bridges. A tax of one mill on a dollar shall annually be assessed upon all property of the state according to the value thereof, and shall be known as the mill tax highway fund. This fund shall be used for the construction of third class highways as defined in section five of chapter twenty-five of the revised statutes, except that not more than one hundred thousand dollars of the fund shall annually be used for the construction of highways and bridges and other purposes contemplated by said chapter twenty-five and in accordance with the terms of any appropriate resolves of the legislature.'

Sec. 2. R. S., c. 25, sec. 34; P. L., 1919, c. 263, sec. 2; relating to third class highway fund, repealed and new section substituted. Section thirty-four of chapter twenty-five of the revised statutes, and section two of chapter two hundred and sixty-three of the public laws of nineteen hundred and nineteen, special session (meaning that section on page thirty of the published laws beginning with the words, "One-third of the mill tax highway fund") are hereby repealed and the following substituted therefor as section thirty-four of chapter twenty-five of the revised statutes:

'Sec. 2. Third class highway fund to consist of mill tax and \$300,000

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annual appropriation. There shall be appropriated annually the sum of three hundred thousand dollars, which together with the mill tax highway fund as provided in section one of this act of nineteen hundred and twenty-three, shall be known as the third class highway fund.'

Sec. 3. P. L., 1919, c. 263, sec. 3; relating to administration, expenditure and apportionment of third class highway fund, amended. Section three of chapter two hundred and sixty-three of the public laws of nineteen hundred and nineteen, special session, November fourth to eighth, (being that section beginning at the bottom of page thirty in the published report of the laws of that session) is hereby amended by striking out all of said section after the word "apportioned" in the third line thereof, and substituting therefor the following: 'Among the various towns according to the number of miles of third class roads contained therein as determined by the highway commission, provided that such towns shall have appropriated for the current year in addition to the appropriation for state aid work and appropriation under the so-called bridge act, for roads and bridges, summer and winter, an amount not less than four mills on the valuation of such town,' so that such section, as amended, shall read as follows:

'Sec. 3. Third class highway fund to be apportioned among towns according to miles of third class roads therein, provided town appropriate four mills for roads. The administration and expenditure of the third class highway fund shall be under the general supervision of the state highway commission and shall be apportioned among the various towns according to the number of miles of third class roads contained therein, as determined by the highway commission, provided that such towns shall have appropriated for the current year in addition to the appropriation for state aid work and appropriation under the so-called bridge act, for roads and bridges, summer and winter, an amount not less than four mills on the valuation of such town.'

Sec. 4. P. L., 1919, c. 263, sec. 4; relating to filing description of location, when work to be completed, change of location, etc., amended. Section four of said chapter two hundred and sixty-three of the public laws of nineteen hundred and nineteen, special session, November fourth to eighth (being the section four found upon page thirty-one of the published laws of said special session) is hereby amended by striking out the word "September" in the fourteenth line thereof and substituting therefor the word 'October,' so that said section, as amended, shall read as follows:

'Sec. 4. Work on roads to be completed before Oct. 30, annually. Municipal officers of any town may, prior to October one in any year, file with the state highway commission the description or location of the road

whose construction and improvement they recommend under the provisions of this act. Upon approval of said location by the state highway commission, the municipal officers shall proceed with the construction of a section upon said location in conformity with the provisions of the following section of this act. After acceptance by the state highway commission of a location as above, construction shall be continued on that location until the entire length of the road has been constructed, or until the location is changed. Upon the completion of any road located as above, municipal officers shall file with the state highway commission recommendation for location upon another road. The work performed under this act shall be completed before the thirtieth day of October annually, and in no case shall any of the third class highway fund be expended upon a section of a road where the buildings are nearer than two hundred feet apart for a distance of one-fourth of a mile or more.'

Sec. 5. P. L., 1919, c. 263, sec. 8, repealed. Section eight of said chapter two hundred and sixty-three of the public laws of nineteen hundred and nineteen, special session November fourth to eighth (being the section eight found upon page thirty-two of the published report of the public laws of said session) is hereby repealed.

Sec. 6. Apportionment of fund to be made in accordance with returns made on or before April 15, annually. The apportionment of the third class highway fund herein created shall be made in accordance with the returns which shall have been made by the several towns desiring participation on or before April fifteenth of each year, and no town whose selectmen or other officials authorized by law have not made the returns required by the state highway department on or before said April fifteenth shall be entitled to any apportionment of said fund.

Sec. 7. Foregoing sections not to become effective unless constitutional amendment for further increase of issue of highway bonds is adopted; following sections to become effective. This act shall take effect if and when there is adopted by the people a constitutional amendment to be submitted by this legislature to them, and having reference to a further increase in the issue of bonds for highway purposes. If such constitutional amendment be not adopted by the people, then this act shall not go into effect but the following substitute shall become effective:

(NOTE. No constitutional amendment was submitted by the legislature, consequently the foregoing sections are not effective and the following sections became effective.
FRANK W. BALL, Secretary of State.)

'Sec. 1. R. S., c. 25, sec. 36; P. L., 1917, c. 258; 1919, c. 220; 1919, c. 263, sec. 1; relating to creation of mill tax highway fund and expenditure thereof, amended. Chapter two hundred and fifty-eight of the public laws of nineteen hundred and seventeen added a section, to be known as section

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thirty-six of chapter twenty-five of the revised statutes, as theretofore amended. Chapter two hundred and twenty of the public laws of nineteen hundred and nineteen amended said chapter thirty-six as was in said chapter indicated. Chapter two hundred and sixty-three of the public laws of nineteen hundred and nineteen, special session November fourth to eighth, amended said chapter two hundred and twenty of the public laws of nineteen hundred and nineteen as set forth in said chapter two hundred and sixty-three. Said chapter two hundred and sixty-three of the public laws of nineteen hundred and nineteen, special session, is hereby amended as follows: on pages thirty, thirty-one and thirty-two of the acts passed at said special session, as printed in the special laws enacted at said session, appears sections one, two, three, four, five, six, seven and eight. Section one on page thirty is hereby amended by striking out in the fourth line thereof the words "or maintenance or both of" and substituting therefor the words 'of third class'; and by striking out of said section in the fifth line thereof between the words "not more than" and the words "of the fund" in the sixth line the words "one-sixth" and substituting therefor the words 'one hundred thousand dollars'; and further, by adding at the end of said section the following: 'and further, except that two hundred thousand dollars of said fund shall be transferred and used in the fund for second class or state aid highways,' so that said section, as amended, shall read as follows:

'Sec. 1. Mill tax to be used in construction of third class highways, except \$100,000 for highways and bridges, and \$200,000 for state aid highways. A tax of one mill on a dollar shall annually be assessed on all property of the state according to the value thereof, and shall be known as the mill tax highway fund. This fund shall be used for the construction of third class highways as defined in section five of chapter twenty-five of the revised statutes, except that not more than one hundred thousand dollars of the fund shall be annually used for the construction of highways and bridges and other purposes contemplated by said chapter twenty-five and in accordance with the terms of any appropriate resolves of the legislature, and further, except that two hundred thousand dollars of said fund shall be transferred and used in the fund for second class or state aid highways.

'Sec. 2. P. L., 1919, c. 263, sec. 3; relating to administration, expenditure and apportionment of third class highway fund, amended. Section three of chapter two hundred and sixty-three of the public laws of nineteen hundred and nineteen, special session November fourth to eighth (being that section beginning at the bottom of page thirty in the published report of the laws of that session) is hereby amended by striking out all of said section after the word "apportioned" in the third line there-

of, and substituting therefor the following: 'Among the various towns according to the number of miles of third class roads contained therein, as determined by the highway commission, provided, that such towns shall have appropriated for the current year in addition to the appropriation for state aid work and appropriation under the so-called bridge act, an amount not less than four mills on the valuation of such town, for roads and bridges, summer and winter,' so that such section, as amended, shall read as follows:

'Sec. 3. Third class highway fund to be apportioned among towns according to miles of third class roads therein, provided town appropriate four mills for roads. The administration and expenditure of the third class highway fund shall be under the general supervision of the state highway commission and shall be apportioned among the various towns according to the number of miles of third class roads contained therein, as determined by the highway commission, provided, that such towns shall have appropriated for the current year in addition to the appropriation for state aid work and appropriation under the so-called bridge act, an amount not less than four mills on the valuation of such town, for roads and bridges, summer and winter.

'Sec. 3. P. L., 1919, c. 263, sec. 4; relating to filing description of location, when work to be completed, change of location, etc., amended. Section four of said chapter two hundred and sixty-three of the public laws of nineteen hundred and nineteen, special session November fourth to eighth (being the section four found upon page thirty-one of the published laws of said special session) is hereby amended by striking out the word "September" in the fourteenth line thereof and substituting therefor the word 'October,' so that said section, as amended, shall read as follows:

'Sec. 4. Work on roads to be completed before Oct. 30, annually. Municipal officers of any town may, prior to October one in any year, file with the state highway commission the description or location of the road whose construction and improvement they recommend under the provisions of this act. Upon approval of said location by the state highway commission, the municipal officers shall proceed with the construction of a section upon said location in conformity with the provisions of the following section of this act. After acceptance by the state highway commission of a location as above, construction shall be continued on that location until the entire length of the road has been constructed, or until the location is changed. Upon the completion of any road located as above, municipal officers shall file with the state highway commission recommendation for location upon another road. The work performed under this act shall be completed before the thirtieth day of October an-

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nually, and in no case shall any of the third class highway fund be expended upon a section of a road where the buildings are nearer than two hundred feet apart for a distance of one-fourth of a mile or more.

'Sec. 4. P. L., 1919, c. 263, sec. 8; repealed. Section eight of said chapter two hundred and sixty-three of the public laws of nineteen hundred and nineteen, special session November fourth to eighth (being the section eight found upon page thirty-two of the published report of the public laws of said session) is hereby repealed.

'Sec. 5. Apportionment of fund to be made in accordance with returns made on or before April 15, annually. The apportionment of the third class highway fund herein created shall be made in accordance with the returns which shall have been made by the several towns desiring participation on or before April fifteenth of each year, and no town whose selectmen or other officials authorized by law have not made the returns required by the state highway department on or before said April fifteenth shall be entitled to any apportionment of said fund.'

Approved April 6, 1923.

Chapter 217.

An Act to Amend Chapter One Hundred Ninety-seven of the Public Laws of Nineteen Hundred and Seventeen, as Amended by Chapter One Hundred Seventy-two of the Public Laws of Nineteen Hundred and Nineteen as Amended by Chapter One Hundred Sixty-two of the Public Laws of Nineteen Hundred and Twenty-one, and to Amend Chapter Nineteen of the Revised Statutes, as Amended, Relating to the State Department of Health.

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

Sec. 1. P. L., 1917, c. 197, sec. 8; 1919, c. 172; 1921, c. 162; relating to appropriation for state department of health, amended. Section eight of chapter one hundred ninety-seven of the public laws of nineteen hundred seventeen, as amended by chapter one hundred seventy-two of the public laws of nineteen hundred nineteen, as amended by chapter one hundred sixty-two of the public laws of nineteen hundred twenty-one, is hereby further amended by striking out the word "forty-six" in the second line thereof and substituting therefor the word 'fifty-three,' so that said section eight, as amended, shall read as follows:

'Sec. 8. Appropriation increased from \$46,000 to \$53,000. The sum of fifty-three thousand dollars shall be annually appropriated for the purposes set forth in sections one to six inclusive, and section seven of this act.'

Sec. 2. P. L., 1919, c. 172, sec. 2; 1921, c. 162; relating to appropriation for health districts, local health officers, etc., amended. Section two of chapter one hundred seventy-two of the public laws of nineteen hundred