

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-fourth Legislature

OF THE

STATE OF MAINE

1929

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eighty-fourth Legislature

1929

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to pay said tax may, on or before the first day of April in each year, notify in writing the assessors of the city, town or plantation in which he or she resides of his or her desire to pay said tax, whereupon the said assessors shall assess said tax against said soldier, sailor or marine, or blind person, or widow of said soldier, sailor or marine, or blind person, and said soldier, sailor or marine, or blind person, or widow of said soldier, sailor or marine, or blind person shall be legally holden to pay said tax; and provided further, that no property conveyed to such soldier, sailor, or marine, or blind person, or widow of said soldier, sailor or marine, or blind person, for the purpose of obtaining exemption from taxation under this section shall be so exempt, and any attempt to obtain such exemptions by means of fraudulent conveyance shall be punished by a fine of not less than one hundred dollars.'

Approved April 9, 1929.

Chapter 291.

An Act to Provide for an Issue of State Highway and Bridge Bonds and for Authorizing Transfer of a Portion of the Tax on Internal Combustion Engine Fuel.

Emergency preamble. Whereas, many of the municipalities of this state have appropriated money for the improvement of state roads for the year nineteen hundred and twenty-nine, and have complied with the provisions of statute relating thereto and have applied for and requested and are entitled to aid, and

Whereas, it appears that such lawful requests and applications cannot be met by the state as provided by statute because of lack of such funds adequate for such purpose, and such lack will result in a serious curtailment of highway improvement which is imperative, and which would otherwise be accomplished, and

Whereas, the only source of revenue to meet such requests and applications, otherwise than by excessive direct taxation, is by an immediate change in the allotment of the tax now levied on internal combustion engine fuel and by temporarily applying a portion thereof now used for state highway construction and reconstruction, to the improvement of state roads, and

Whereas, in order to obtain the necessary funds to carry on the construction of state highways and to equalize said internal combustion engine fuel tax funds which may be diverted to the improvement of state roads, it is likewise immediately necessary to reissue certain reissuable bonds of the state usable only for state highway and bridge construction under the provisions of the constitution, the proceeds of said bonds when reissued to be used solely for the construction of state highways, intrastate, interstate and international bridges, and

Whereas, legislation to fulfill the demands both for the improvement of said state roads and for said state highway and bridge construction is immediately necessary for the preservation of the public peace, health and safety, and constitutes an emergency within the meaning of the constitution,

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

Sec. 1. Additional bond issue. In addition to state highway and bridge bonds heretofore issued in the name and behalf of the state and under the provisions of chapter one hundred and thirty of the public laws of nineteen hundred and thirteen and acts amendatory thereof and additional thereto; under chapter two hundred and fifty-one of the public laws of nineteen hundred and nineteen; under chapter one hundred and thirty-one of the public laws of nineteen hundred and twenty-one and under chapter two hundred and three of the public laws of nineteen hundred and twenty-five, the treasurer of state is hereby authorized, under the direction of the governor and council, to issue from time to time serial coupon bonds in the name and behalf of the state, the same being a reissue of bonds heretofore authorized, issued and retired and to be retired on or before September first, nineteen hundred and thirty, under the provisions of chapter one hundred and thirty of the public laws of nineteen hundred and thirteen; under chapter two hundred and fifty-one of the public laws of nineteen hundred and nineteen, and under chapter one hundred and thirty-one of the public laws of nineteen hundred and twenty-one, said bonds to be in the name and behalf of the state to an amount not exceeding one million seven hundred and seventy-five thousand dollars, payable at the state treasury within seventeen years from date of issue, at a rate of interest not exceeding five per cent per annum, interest payable semi-annually, and signed by the treasurer of state, countersigned by the governor and attested by the state auditor, with the seal of the state affixed. The coupons attached to said bonds shall bear the facsimile of the signature of the treasurer of state instead of his original signature; and such bonds and coupons shall be of such denominations and form and upon such terms and conditions not inconsistent herewith as the governor and council shall direct. Said bonds together with the proceeds thereof, shall be designated as a part of the state highway and bridge loan, and shall be deemed a pledge of the faith and credit of the state.

Sec. 2. State auditor shall keep account. The state auditor shall keep an account of such bonds, showing the number and amount of each, the date of countersigning, the date when payable and the date of delivery thereof to the treasurer of state, who shall keep an account of each bond, showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of sale and the date when payable.

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Sec. 3. Sale of bonds; use of proceeds. The treasurer of state may negotiate the sale of such bonds by direction of the governor and council, but no such bond shall be loaned, pledged or hypothecated in behalf of the state. An amount equivalent to the proceeds of the sales of such bonds is hereby appropriated to be used solely for the building of state highways. The proceeds of said bonds may be expended at any time after this act becomes effective, but any balance unexpended shall not lapse, but shall be carried forward to the same account to be used only for the construction of state highways and bridges as provided by law.

Sec. 4. Transfer of receipts for improvement of state roads. The governor and council are hereby authorized and directed to order transfers from the receipts from the tax on internal combustion engine fuel, state highway construction and reconstruction account, such sums not exceeding one million dollars in any year not beyond the fiscal year ending June thirtieth, nineteen hundred and thirty-one, as may be necessary to comply with the requisitions made by law upon the state highway commission by cities and towns for improvement of state roads and the state auditor is hereby authorized to make transfers accordingly. This section shall be operative only until other provisions of statute shall become effective to provide sufficient funds to meet the requisitions of municipalities for said improvement of state roads.

Sec. 5. Act to take effect when approved. In view of the emergency set forth in the above preamble this act shall take effect when approved.

Approved April 10, 1929.

Chapter 292.

An Act to Modify the Practice on Pleas in Abatement.

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

When plea or motion in abatement has been overruled. When a plea or motion in abatement or to the jurisdiction has been overruled the defendant shall have the right to answer over on the merits. Nothing herein contained shall be construed as affecting the provisions of existing law relative to the filing of appearances.

Approved April 11, 1929.