

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-sixth Legislature

OF THE

STATE OF MAINE

From April 4, 1931, to March 31, 1933

AND MISCELLANEOUS STATE PAPERS

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eighty-sixth Legislature

1933

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as he may determine the payment of any amount payable under the terms of any policy of insurance, annuity or pure endowment contract, and the payment of judgments, notes, drafts, checks, bills of exchange, or other forms of payment of claims due from insurers to any person, firm or corporation, whether such claim is liquidated or unliquidated, due or to become due at a day certain, and defer the payment of premiums on policies affected by such postponements or suspensions, and may direct payment in full or in part whenever in his discretion such payment may be safely consummated.

Sec. 5. Insurer defined. The word insurers shall include corporations, inter-insurers, associations, societies and orders as well as partnerships and individual agents, representing such organizations.

Sec. 6. Personal responsibility of the commissioner limited. The commissioner shall not be held legally responsible for any act or failure to act in the premises when such act, or failure to act, shall have been shown to be the result of good faith.

Sec. 7. Penalties for violation. Any violation of any order issued by virtue of this act, or any rule or regulatory provision made by the commissioner pursuant thereto, shall be punished by a fine of not more than \$1,000, or by imprisonment for less than 1 year, or by both.

Sec. 8. Jurisdiction of the courts. During any such period said commissioner is hereby authorized to issue such directions, rules or orders as in his discretion the circumstances may warrant, and any justice of the supreme judicial, or superior, courts shall have full jurisdiction to enforce the provisions of this act by appropriate decrees in equity.

Sec. 9. Duration of the act at will of the governor. The authority and power given the insurance commissioner under this act shall terminate and be of no effect when the governor shall proclaim that any such emergency has ceased to exist.

Emergency Clause. In view of the emergency set forth in the foregoing preamble this act shall take effect when approved.

Approved March 31, 1933.

Chapter 263.

AN ACT to Provide for the Issue of Bonds for Emergency Relief.

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

Sec. 1. Issue of bonds for emergency relief authorized. The treasurer of state is hereby authorized, under the direction of the governor and coun-

cil, to issue from time to time serial coupon bonds in the name and behalf of the state to an amount not exceeding \$2,000,000, at any one time outstanding, payable serially at the state treasury within 10 years from date of issue, at a rate of interest not exceeding 5% per year, 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 the loan for emergency relief, and shall be deemed a pledge of the faith and credit of the state, and when paid at maturity or otherwise retired, may be reissued for the purposes hereinafter described only.

Sec. 2. Records of bonds issued to be kept by state auditor and treasurer. 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.

Sec. 3. Sale how negotiated; \$2,000,000 appropriated for emergency relief. 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. The proceeds of the sales of such bonds, which shall be held by the treasurer of state and paid by him upon warrants drawn by the governor and council, are hereby appropriated to be used solely for the emergency relief of conditions threatening the peace, health and safety of the inhabitants of the state or the political subdivisions thereof, either by direct payment under the direction of and upon terms and conditions fixed and determined by the governor and council or by loans to the several cities, towns and plantations under the direction of and upon terms and conditions fixed and determined by the governor and council, including, in cases where the governor and council determine circumstances warrant, the reimbursement of cities, towns and plantations for such emergency relief disbursements, not reasonably to be anticipated and provided for by taxes, as have caused a deficiency in the tax levy of such city, town or plantation, the amount of such loan to be first applied to the payment of taxes due to the state, which terms and conditions so fixed and determined the several cities, towns and plantations are hereby authorized to meet for the purpose of carrying out the provisions of this act, provisions of the public laws, or of the charters of the several cities, towns

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and plantations to the contrary notwithstanding. The proceeds of said bonds may be expended during the fiscal year ending June 30, 1934, and the fiscal year ending June 30, 1935, but any balance unexpended shall not lapse but shall be carried forward to the same account to be used only for the emergency relief as herein provided.

Sec. 4. Proceeds of bonds not available for other purposes; must be kept separate from other funds; accruing interest on deposits applied to pay interest on bonds. The proceeds of all bonds issued under the authority of this act for such emergency relief shall at all times be kept distinct from other moneys of the state, and shall not be drawn upon or be available for any other purpose. So much of the same as from time to time may not be needed for current expenditures shall be placed at interest, and the income derived therefrom shall be devoted to the payment of accruing interest on said bonds, and the treasurer of state shall include in his annual report a statement of all moneys so placed at interest, and of all interest collected and disbursed as herein provided.

Sec. 5. This act contingent upon adoption of constitutional amendment. This act shall not take effect unless and until the constitution of this state is amended by adding to article IX a section, numbered 20, authorizing the issue of bonds not to exceed the amount of \$2,000,000, payable within 10 years at a rate of interest not exceeding 5% per year payable semi-annually, the proceeds to be disbursed for emergency relief as aforesaid; and until said constitution is also amended by a further exception to the provisions of section 14 of article IX thereof, excepting such emergency relief from the limitations set forth in said section.

Approved March 31, 1933.

Chapter 264.

AN ACT Relative to Increase of the State Debt Limit.

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

R. S., c. 2, § 89, amended. Section 89 of chapter 2 of the revised statutes is hereby amended to read as follows:

'Sec. 89. Temporary loan by state. The treasurer of state is authorized, in any year in which he and the governor and council may deem the same necessary, to negotiate a temporary loan in anticipation of and pending the receipt of taxes levied for such year, and of the proceeds of bonds authorized to be issued, as provided by section 14 of Article IX of the constitution of Maine, as amended. ~~by article forty-two of the constitution.~~ The treasurer of state and the governor and council are hereby