

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-seventh and Eighty-eighth
Legislatures

OF THE

STATE OF MAINE

From April 7, 1935 to April 24, 1937

AND MISCELLANEOUS STATE PAPERS

Published by the Secretary of State, in conjunction
with the Revisor of Statutes in accordance with the
Resolves of the Legislature approved June 28, 1820,
March 18, 1840, March 16, 1842, and Acts approved
August 6, 1930 and April 2, 1931.

KENNEBEC JOURNAL
AUGUSTA, MAINE
1937

PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Eighty-Eighth Legislature

1937

Chapter 71

AN ACT for the Protection of *Rhododendron Maximum* Linnaeus and *Kalmia Latifolia* Linnaeus.

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

Certain plants protected. Whoever without the consent of the owner of the land whereon the same may be growing injures, destroys, digs up or removes any *rhododendron maximum linnaeus* or *kalmia latifolia linnaeus*, or any part or parts of the plants of either of said species growing upon the land of another shall be guilty of a misdemeanor and shall be punished by a fine of not more than \$100, and in addition thereto shall be liable to the owner of the land upon which the same was growing in an action of trespass in treble damages.

Approved March 25, 1937.

Chapter 72

AN ACT Providing for Assessment of Premium Notes and Insurance Contracts.

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

R. S., c. 60, § 36, amended. Section 36 of chapter 60 of the revised statutes, as amended, is hereby repealed and the following section enacted in place thereof:

'Sec. 36. Assessments on premium notes and contracts of insurance; limits of liability to be stated. The insured, before receiving his policy, shall deposit his note for the sum determined by the directors, which shall not be less than 5% of the amount insured, and such part of it as the by-laws require, shall be immediately paid and endorsed thereon. The remainder shall be assessed in such installments as the directors from time to time require for the payment of losses, accrued expenses, and a reasonable overlay, to be assessed on all who are members when such losses or expenses happen, in proportion to the amounts of their notes. Provided, that a mutual company which collects a cash premium of not less than the tariff rate charged by stock companies may take a premium note for an equal amount and such companies shall maintain a premium reserve equal to 50% of the cash premium on its policies in force. No domestic mutual insurance company shall insure in one risk an amount exceeding 25% of its gross assets, including the amount at any time due

on its premium notes. Any mutual company in place of the premium note required by law may provide in the policy of insurance as a condition of the insurance made by the policy that the insured and legal representatives shall pay in addition to the stipulated premium of such policies such sum as may be assessed by the directors of the company pursuant to the laws of this state, but such contingent liability of a member shall not be less than an amount equal to the cash premium written in his policy. The total amount of the liability of the policyholder shall be plainly and legibly stated upon the filing back of each policy. The delivery of the policy and payment of the premium by any assured shall be deemed an acceptance of the contract.'

Approved March 25, 1937.

Chapter 73

AN ACT Relating to the Termination of Organization of Towns or Plantations.

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

Sec. 1. Power and authority of state tax assessor. Whenever the organization of any town or plantation has been terminated by act of the legislature, the powers, duties and obligations relating to the affairs of said town or plantation shall be vested in the state tax assessor, until such time as said town or plantation is reorganized. Said state tax assessor shall have the power and authority to assess taxes at any time after the act terminating the organization of the town or plantation becomes operative, by making assessment once a year for 2 years under the laws now relating to the assessment of taxes in towns by assessors. Said tax assessor shall have the same power and authority which tax collectors now have to enforce the collection of said taxes in any manner now provided by law. All moneys received by virtue of said assessment and collection as aforesaid shall be applied to the payment of necessary expenses of the state tax assessor in making such assessment and collection, to the payment of any outstanding obligations of said town or plantation and for the completion of any public works of said town or plantation already begun.

Sec. 2. Time limit. For a period of 2 years after the act of termination becomes effective, no claim shall be enforced against any such town or plantation and any attachment of or levy upon property located within said town or plantation for the purpose of effecting such enforcement shall be void; except such claims, attachments, or levies as are necessary, or advisable in the opinion of said state tax assessor to carry out the provisions of section 1 hereof.