

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,
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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Eighty-Eighth Legislature

1937

Chapter 238

AN ACT to Correct Technical Errors in Various Laws.

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

Sec. 1. R. S., c. 8, § 60, amended. Section 60 of chapter 8 of the revised statutes is hereby amended to read as follows:

'Sec. 60. Votes, how received and returned, and counted; secretary to send for delinquent returns; notice to persons elected. The votes shall be sorted, counted, declared, and recorded; and the returns of the number of ballots and of the votes given for each elector shall be made according to the constitution and laws to the secretary of state, on or before the second Tuesday after such meeting; ~~on the third Tuesday after such meeting,~~ on said second Tuesday, the governor and council shall be in session, and shall open, examine, and count the returns of votes so made, and the secretary of state shall forthwith send a messenger to every city and town from which a return has not been received at his office; and the governor and council shall again meet ~~on the Tuesday next before the first Wednesday in December,~~ on the third Tuesday following such election, and examine and count all the votes received from the several cities, towns, and plantations and the votes of citizens in the military service lawfully returned into the office of the secretary of state; and they shall forthwith send a certificate of election to each person who has received the greatest number of all the votes returned to said office, not exceeding the number to be chosen.'

Sec. 2. R. S., c. 8, § 63, amended. Section 63 of chapter 8 of the revised statutes is hereby amended to read as follows:

'Sec. 63. Duties of governor; meetings of electors; vacancies, how filled. As soon as practicable after the electors are chosen the governor shall communicate by registered mail under the seal of the state to the secretary of state of the United States a certificate of the ascertainment of the electors, setting forth the names of the electors, and the number of votes given for each person; and the governor shall deliver to the electors, on or before the first ~~Wednesday in January~~ Monday after the second Wednesday of December next after their election, 6 original duplicates of the same certificate under the seal of the state. If there shall have been any contest concerning the appointment of any of the electors, or in case of an appointment under section 62, the governor, after such determination, shall communicate under the seal of the state to the secretary of state of the United States a certificate of such determination in form and manner

as the same shall have been made. The electors shall convene in the senate chamber at Augusta on the first ~~Wednesday of January~~ **Monday after the second Wednesday of December** next after their election, at 2 o'clock in the afternoon; and if any elector so chosen is not present, the electors then present, by a majority of votes, shall forthwith elect the requisite number of persons qualified to supply such deficiency.'

Sec. 3. R. S., c. 8, § 64, amended. Section 64 of chapter 8 of the revised statutes is hereby amended to read as follows:

'**Sec. 64. Proceedings of presidential electors.** Said electors, on said first ~~Wednesday of January~~, **Monday after the second Wednesday of December**, shall vote by ballot for 1 person for president and 1 person for vice-president of the United States; 1 of whom, at least, shall not be an inhabitant of this state; they shall name in their ballots the person voted for as president, and in distinct ballots the person voted for as vice-president; they shall make and subscribe 6 certificates of all the votes by them given, each of which shall contain 2 distinct lists, one of the votes given for president, and the other of the votes given for vice-president; they shall annex to each of the certificates 1 of the lists of the electors which shall have been furnished to them by direction of the governor; they shall seal them up and certify on each certificate, that a list of votes of the state of Maine for president and vice-president of the United States is contained therein. The electors shall dispose of the certificates so made by them and the lists attached thereto in the following manner:

First: They shall forthwith forward by registered mail 1 of the same to the president of the senate of the United States at the seat of government.

Second: Two of the same shall be delivered to the secretary of state of the state of Maine, 1 of which shall be held subject to the order of the president of the senate of the United States, the other to be preserved by him for 1 year and shall be a part of the public records of his office and shall be open to public inspection.

Third: On the day thereafter they shall forward by registered mail 2 of such certificates and lists to the secretary of state of the United States at the seat of government.

Fourth: They shall forthwith cause the other of the certificates and lists to be delivered to the judge of the district of Maine.'

Sec. 4. P. L., 1935, c. 157, amended. The 2nd paragraph of sub-section (3) of chapter 157 of the public laws of 1935 is hereby amended to read as follows:

'The secretary of state shall prepare and furnish to the several cities, towns and plantations ballots in manner and form as prescribed in section

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20 of chapter 8 of the revised statutes for constitutional amendment or other questions; together with all other forms including those for instructions and returns as may be prescribed in said chapter 8 of the revised statutes.'

Sec. 5. R. S., c. 54, § 26, amended. Section 26 of chapter 54 of the revised statutes is hereby amended to read as follows:

'Sec. 26. Employers to keep a record of hours of work by each female and minor under 16 years of age on each day of the week. Every employer shall keep a time-book or record for every female, and every male minor under 16 years of age employed in any establishment or occupation named in sections 21 and 23 of this chapter, stating the number of hours worked by each female and each male minor under 16 years of age on each day of the week. Such time-book or record shall be opened at all reasonable hours to the inspection of the commissioner of labor and industry and state factory inspector, his deputy, or any authorized agent of the labor department. Any employer who fails to keep such record as required by this section or makes any false entry therein, or refuses to exhibit such time-book or record, or makes any false statement to the commissioner of labor and industry and state factory inspector, his deputy, or any authorized agent of the labor department ~~Any employer who fails to keep such record as required by this chapter in reply to any question put in carrying out the provisions of sections 21 to 27, inclusive shall be liable for a violation thereof.~~

Sec. 6. P. L., 1933, c. 118, amended. Sections 5-A, 5-B and 5-C of chapter 118 of the public laws of 1933 are hereby amended to read as follows:

'Sec. 5-A. Special probation officers for juveniles. The judge of any such court may appoint special probation officers to care for offenders under the age of ~~15~~ 17 years whenever it shall appear to him that such action will best promote the interests of all concerned. Such special probation officers shall be reimbursed by the county for actual expenses incurred in the performance of their duties.'

'Sec. 5-B. Powers of the court in juvenile cases. A municipal court may place children under the age of ~~15~~ 17 years under the supervision, care and control of a probation officer or an agent of the department of health and welfare or may order the child to be placed in a suitable family home subject to the supervisions of a probation officer or the department of health and welfare or may commit such child to the department of health and welfare or make such other disposition as may seem best for the interests of the child and for the protection of the community including commitment of such child to the state school for boys or state school for girls.'

Unless the offense is aggravated or the child is of a vicious or unruly disposition no court shall sentence or commit a child under the age of 15 years to jail, reformatory, or prison, or hold such child for the grand jury.'

'Sec. 5-C. Support of child committed to custodial agency. Whenever a child under the age of ~~15~~ 17 years is committed by the court to custody other than that of its parent and no provision is otherwise made by law for the support of such child, compensation for the care of such child, when approved by order of the court, shall be paid by the state. But the court may, after giving a parent a reasonable opportunity to be heard, adjudge that such parent shall pay in such manner as the court may direct such sum as will cover in whole or in part the support of such child, and if such parent shall wilfully fail or refuse to pay such sum he may be proceeded against as provided by law for cases of desertion or failure to provide subsistence.'

Sec. 7. R. S., c. 10, § 7, amended. The first sentence of section 7 of chapter 10 of the revised statutes is hereby amended to read as follows:

'Every candidate for public office, including candidates for the office of senator of the United States, shall, within 15 days after the election at which he was a candidate, file with the secretary of state, if a candidate for a senator of the United States, representative in congress, or for any state or county office, state senator or representative in the legislature, but with the town clerk of the town in which he resides, if he was a candidate for a town, city, or ward office, an itemized, sworn statement setting forth in detail all the moneys contributed, expended, or promised by him to aid and promote his nomination or election, or both, as the case may be, and all existing unfulfilled promises, or liabilities remaining uncanceled and in force at the time such statement is made, whether such expenditures, promises, and liabilities were made or incurred before, during or after such election ~~excepting, however, his actual personal expenses enumerated in section 4, which he need not return.~~

Approved April 24, 1937.

Chapter 239

AN ACT Relating to Exemptions of Motor Trucks from Registration.

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

R. S., c. 29, § 57-A, amended. The 2nd paragraph of section 57-A of chapter 29 of the revised statutes is hereby amended to read as follows:

'Provided, however, that this privilege shall not be granted to motor