

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES

AS PASSED BY THE

Eighty-eighth and Eighty-ninth
Legislatures

OF THE

STATE OF MAINE

From April 24, 1937 to April 21, 1939

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
1939

PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Eighty-ninth Legislature

1939

CHAP. 223

issued upon payment of \$10 for each such additional pair and upon payment of \$5 per pair, additional plates shall be furnished. Extra registration plates shall be furnished to replace lost or mutilated plates for 75c each. Single plates shall be furnished for trailers. On applications for registration, or for additional plates applied for by ~~said manufacturers or dealers~~ during the period between the 1st day of September and the 31st day of December in any year, $\frac{1}{2}$ of the registration fee shall be charged. No motor truck, tractor, or trailer registered under this section shall be used for other than demonstration or emergency purposes.'

Sec. 2. R. S., c. 29, § 62, amended. Section 62 of chapter 29 of the revised statutes is hereby amended to read as follows:

'Sec. 62. Dealers' registration fee to be paid before December 31 of preceding year. Every manufacturer or dealer in new or used motor vehicles or trailers shall pay to the secretary of state the required registration fee for the succeeding year on or before the 31st day of December annually; provided, that any manufacturer or dealer in new or used motor vehicles or trailers commencing business after the 1st day of January of any year shall pay the fee at the time of commencing business. The word "dealer" as used in this chapter shall mean any person, firm or corporation which is actively engaged in the business of buying, selling or exchanging motor vehicles and having an established place of business for such purpose, or which has a bona fide contract for buying, selling or exchanging motor vehicles with any wholesale dealer in or manufacturer of motor vehicles a recognized agent of a motor vehicle manufacturer, or a seller of motor vehicles made by such manufacturer whose authority to sell the same is created by a written contract with such manufacturer, or with some person authorized in writing by such manufacturer to enter into such contract, and whose principal business is the sale of new motor vehicles, the sale of second-hand motor vehicles being incidental thereto. The words "used car dealer" as used in this chapter shall mean any person, firm or corporation whose principal business is the buying and selling of second-hand motor vehicles.'

Approved April 17, 1939.

Chapter 223

AN ACT Relating to the Administration of State Institutions.

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

Sec. 1. Department of institutional service. There is hereby created and established the department of institutional service.

Sec. 2. Appointments. A commissioner of institutional service shall be appointed by the governor with the advice and consent of the council, said appointment shall be for 3 years and until his successor is appointed and qualified, or during the pleasure of the governor and council. Any vacancy shall be filled by appointment for a like term.

Sec. 3. Director; qualifications. The commissioner of institutional service shall have the power to appoint a director of institutional service, institutional heads, and such other employees as shall be necessary for the proper performance of the duties of said department, said appointments to be with the approval of the governor and council.

1. The director of institutional service shall be a person experienced in institutional administration, either as a superintendent, chief medical officer, or business manager, or who has had other satisfactory experience in the direction of work of a comparable nature.

Sec. 4. Supervision of institutions; heads; enforcement of laws. The department of institutional service shall have general supervision, management and control of the grounds, buildings and property, officers and employees, and patients and inmates of all of the following state institutions:

The insane hospitals, Pownal state school, the state prisons, the reformatories for men and women, the juvenile institutions, the state sanatoriums, the school for the deaf, the military and naval children's home and such other charitable and correctional state institutions as may be created from time to time. The heads or superintendents of the several state institutions under the department shall be appointed by the commissioner subject to the approval of the governor and council, and shall report directly to the said commissioner or the director as designated by the commissioner. Each institutional head shall be experienced in the management of the particular type of institution to which he or she is assigned.

The department shall be charged with the enforcement of all laws concerning the aforesaid institutions except in such cases where specific duties are given elsewhere.

Sec. 5. Salaries. The salary of the commissioner, the director and all other employees established under this act shall receive such compensation as shall be fixed by the governor and council.

Sec. 6. Powers and duties of department. The department of institutional service shall have authority:

To exercise all the rights, powers and duties heretofore vested by law in the department of health and welfare by paragraphs 2 to 9, inclusive, 14 and 15, 19 to 23 inclusive, and 26 of section 2 of Article III of chapter

CHAP. 223

216 of the public laws of 1931, as amended and revised by chapter 1 of the public laws of 1933 and amendments thereto. Said rights, powers and duties as provided in chapter 216 of the public laws of 1931 are as follows:

“2. To exercise all the rights, powers and duties heretofore vested by law in the board of prison commissioners, its officers, assistants and employees;

3. To exercise all the rights, powers and duties heretofore vested by law in the trustees of the reformatory for women, their officers, assistants and employees;

4. To exercise all the rights, powers and duties heretofore vested by law in the board of trustees of the reformatory for men, its officers, assistants and employees;

5. To exercise all the rights, powers and duties heretofore vested by law in the trustees of juvenile institutions, their officers, assistants and employees;

6. To exercise all the rights, powers and duties heretofore vested by law in the visiting committee to the state school for boys of the council;

7. To exercise all the rights, powers and duties heretofore vested by law in the hospital trustees, their superintendents, officers, assistants and employees;

8. To exercise all the rights, powers and duties heretofore vested by law in the visiting committee to state hospitals of the council;

9. To exercise all the rights, powers and duties heretofore vested by law in the board of trustees for tuberculosis sanatoriums, its officers, assistants and employees;

14. To exercise all the rights, powers and duties heretofore vested by law in the board of trustees of the Maine school for the deaf, its officers, assistants and employees;

15. To exercise all the rights, powers and duties heretofore vested by law in the board of trustees of the state military and naval children's home, its officers, assistants and employees;

19. To establish parole standards and procedure and supervise the parole of inmates in the state penal and correctional institutions, subject to the approval of the governor and council;

20. To classify and segregate the inmates of institutions;

21. To devise methods for the employment of patients and inmates of state institutions, and for the production and distribution of farm, dairy and industrial products of such institutions;

22. To fix rates and collect fees for the support of patients in state hospitals, sanatoria, and other institutions;

23. To provide for the training of nurses in state hospitals and sanatoria;

26. To perform such other functions for the care, custody, treatment, and relief of the sick, the dependent, the defective and delinquent as may be consistent with the general purposes herein defined and not otherwise contrary to law."

Sec. 7. Parole board. There shall be a parole board in the department of institutional service consisting of the commissioner of institutional service, and any 2 members of the executive council designated by the governor. Such board shall have authority to grant or revoke all paroles in connection with the state penal and correctional institutions.

The commissioner may appoint 1 or more parole officers to serve during his pleasure, subject to the approval of the governor and council, who shall perform such duties in connection with the employment, care and supervision of persons paroled from the state penal and correctional institutions as the parole board may determine.

Sec. 8. Saving clause. All acts or parts of acts in chapter 216 of the public laws of 1931 or the revision thereof or amendments thereto inconsistent herewith are hereby amended to conform to the provisions of this act.

Approved April 18, 1939.

Chapter 224

AN ACT Relating to the Maine Forestry District.

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

R. S., c. 11, § 75, amended. Section 75 of chapter 11 of the revised statutes is hereby amended to read as follows:

'Sec. 75. **Prevention, control and extinguishment of fires; lookout stations; forest fire trails.** The forest commissioner shall take measures for the prevention, control and extinguishment of forest fires in said forestry district, and to this end he shall establish such subforestry districts as he may deem necessary for effective protection against loss or damage by fire. He may establish lookout stations connected by telephone and equip and maintain depots for necessary tools for the extinguishment of forest fires,