

MAINE STATE LEGISLATURE

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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

Chapter 252

AN ACT Relating to Civil Actions for Death.

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

R. S., c. 101, § 10, amended. Section 10 of chapter 101 of the revised statutes, as amended by chapter 113 of the public laws of 1933, is hereby further amended to read as follows:

'Sec. 10. How such action to be brought; and amount recovered, disposed of; limitation. Every such action shall be brought by and in the names of the personal representatives of such deceased person, and the amount recovered in every such action, **except as hereinafter provided**, shall be for the exclusive benefit of the widow or widower, if no children, and of the children, if no widow or widower, and if both, then for the exclusive benefit of the widow or widower and the children equally, and, if neither, of his or her heirs. The jury may give such damages as they shall deem a fair and just compensation, not exceeding \$10,000, with reference to the pecuniary injuries resulting from such death to the persons for whose benefit such action is brought, **and in addition thereto, shall give such damages as will compensate the estate of such deceased person for the reasonable expense of medical, surgical and hospital care and treatment, provided, that such action shall be commenced within 2 years after the death of such person.**'

Approved April 19, 1939.

Chapter 253

AN ACT Relating to the State Police.

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

R. S., c. 29, § 122, amended. Section 122 of chapter 29 of the revised statutes, as amended, is hereby further amended to read as follows:

'Sec. 122. Appointment of the chief of the state police; duties, may enlist members of the force; terms and conditions of enlistment; deputy chief. The governor, with the advice and consent of the council, shall appoint a chief of the state police, ~~to serve during their pleasure,~~ to serve for a term of 4 years unless removed for cause. He may be removed by the governor and council only after charges have been preferred in writing and, if he so requests, after public hearing. The chief shall be the executive head of the state police and shall execute the duties of his office under

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the direction and subject to the approval of the governor and council. The chief of the state police may enlist suitable persons as members of the state police to enforce the provisions of this chapter, who shall enlist for a period of 3 years: (a) during the first 6 months of the 1st enlistment a member will be on probation and may be summarily discharged by the chief without hearing; (b) a qualified and accepted recruit will take the oath to be prescribed by regulations of the department and such oath shall be set out in the enlistment paper. Each accepted recruit shall sign such paper and expressly agree to abide by and be subject to all the conditions and obligations therein set forth; (c) after the first 6 months of the 1st enlistment period members may be discharged only after trial before a trial court to be designated by the chief of the said state police; (d) members may be discharged on their own request if deemed consistent with the good of the service by the chief; (e) voluntary withdrawal from the force during the term of enlistment or re-enlistment without the consent of the chief shall constitute a misdemeanor; (f) the chief shall make rules and regulations subject to the approval of the governor and council for the discipline and control of members of the state police and for the examination and qualification of applicants for enlistment therein and violation of any rules and regulations, approved as aforesaid, by any member of the state police shall constitute a misdemeanor. Subject to the approval of the governor and council, the chief may designate a member of the state police to act as his deputy.'

Approved April 19, 1939.

Chapter 254

AN ACT Relative to Exemption from Registration Fees of Certain Vehicles Owned by Nonresidents.

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

R. S., c. 29, § 41, amended. Section 41 of chapter 29 of the revised statutes, as revised, is hereby amended, by adding thereto after paragraph "Third" a new paragraph to be numbered "Fourth," and to read as follows:

'Fourth. Any motor truck, tractor, semitrailer or trailer, constructed or equipped primarily as a refrigerator vehicle, when owned and operated by nonresidents of this state who are citizens of the United States, which would be otherwise required by this chapter to pay a registration fee, shall if duly registered in the state of its ownership be exempt from registration in this state while operated in this state exclusively for the transporta-