

# 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

---

---

Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Eighty-ninth Legislature

1939

---

---

## Chapter 88

### AN ACT Relating to Exemption of Homes from Claims in re Old Age Assistance.

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

P. & S. L., 1937, Title II, c. 105, § 12, amended. Section 12 of chapter 105 of Title II of the private and special laws of 1937 is hereby amended to read as follows:

'Sec. 12. Claims against estate of person assisted. Upon the death of a beneficiary, the state shall have a claim against his estate, enforceable in the probate court, for all amounts paid to him under the provisions of this act. Such claim shall have priority over all unsecured claims against such estate, except (1) administrative expenses, including probate fees and taxes, and (2) expenses of the last sickness and burial expenses. The attorney general shall collect any claim which the state may have hereunder against such estate. Provided, that no such claim shall be enforced against any real estate while it is occupied as a home by the surviving spouse of the beneficiary ~~if such spouse is eligible for old age assistance under the provisions of this act or will reach the age of eligibility within 5 years of the time of death of the beneficiary~~ and said spouse does not marry again. If the state participates in federal funds for the purposes of this act, 1/2 of the net amount collected from the estate of the beneficiary, with respect to old age assistance furnished him, shall be promptly paid by the treasurer of state to the United States as required by the laws of the United States.'

Approved April 10, 1939.

---

---

## Chapter 89

### AN ACT to Provide for Civil Service Rules for the Police Department in the City of Bath.

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

Sec. 1. Civil service rules for police department. The city council of the city of Bath shall provide by ordinance for a system of civil service rules for the appointment, promotion, demotion, lay off, reinstatement, suspension and removal of the members of the police department and for a civil service commission to administer the same.

Sec. 2. Retirement and pensions. The city of Bath is hereby authorized to provide by ordinance for the retirement and pensioning of all members

**CHAP. 90**

of its police department who have served in said police department for a term of at least 20 years, and who may have been honorably discharged from said department by reason of having attained the age of 65 or by reason of permanent injuries or permanent physical incapacity, which is the result of an accident in service in said police department.

**Sec. 3. Inconsistent acts repealed.** Such parts of section 4 of the charter of the city of Bath, section 4 of chapter 79 of the private and special laws of 1895 and all other acts, or parts of acts, inconsistent herewith are hereby repealed.

**Sec. 4. Referendum.** This act shall take effect 90 days after the adjournment of this legislature only for the purpose of permitting its acceptance or rejection by the legal voters of the city of Bath at the next general election therein, or at a special state election or at any prior special city election held on or before April 2, 1940, notified and called by the mayor and aldermen, in the manner prescribed by the charter of the said city of Bath.

The question proposed on said ballot shall be substantially in the following form:

“Shall an act passed by the legislature in the year 1939 approved (insert date) entitled, ‘An Act to Provide Civil Service Rules for the Police Department in the City of Bath,’ be accepted,” otherwise said ballot shall be in form provided by law when a constitutional amendment is submitted to the vote of the people.

If a majority of the qualified voters of the city, present and voting, vote in favor of the acceptance of this act, it shall become operative. The city clerk shall forthwith file with the secretary of state a certificate of the action of the city thereon.

Approved April 12, 1939.

---

---

## Chapter 90

**AN ACT Amending the Old Age Assistance Law Relating to Disqualification for Transferring Property.**

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

P. & S. L., 1937, c. 105, Title II, § 11, amended. Section 11 of Title II of chapter 105 of the private and special laws of 1937 is hereby amended to read as follows: