

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
AS PASSED BY THE
Eighty-ninth and Ninetieth
Legislatures

OF THE
STATE OF MAINE

From April 21, 1939 to April 26, 1941
AND MISCELLANEOUS STATE PAPERS

Published by 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.

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1941

PROPERTY OF THE
STATE OF MAINE
NOT TO BE SOLD

PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Ninetieth Legislature

1941

'(9) No person required by law to pay a poll tax in this state shall be granted a resident hunting, fishing or combined hunting and fishing license until he shall present a receipt or a certificate that he has paid his poll tax in the town where he resided for the year preceding that for which the license is applied for, or a receipt or a certificate from the taxing authority of that town that he was legally exempted therefrom, or that the tax has been abated.'

Approved March 29, 1941

Chapter 111

AN ACT Providing for the Disposition of Property Where There Is No Sufficient Evidence that Persons Died Otherwise Than Simultaneously.

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

Sec. 1. No sufficient evidence of survivorship. Where the title to property or the devolution thereof depends upon priority of death and there is no sufficient evidence that the persons died otherwise than simultaneously, the property of each person shall be disposed of as if he were the survivor, except as provided otherwise in this act.

Sec. 2. Two or more decedents, beneficiaries under another person's will. Where a testamentary disposition of property depends upon the priority of death of the designated beneficiaries and there is no sufficient evidence that these beneficiaries died otherwise than simultaneously, the property thus disposed of shall be divided into as many equal portions as there are designated beneficiaries and these portions shall be distributed respectively to those who would take in the event that each designated beneficiary were the survivor.

Sec. 3. Decedents joint tenants. Where there is no sufficient evidence that 2 joint tenants died otherwise than simultaneously the property so held shall be distributed $\frac{1}{2}$ as if one had survived and $\frac{1}{2}$ as if the other had survived. If there are more than 2 joint tenants and all of them have so died the property thus distributed shall be in the proportion that one bears to the whole number of joint tenants.

Sec. 4. Insured presumed to survive. Where the decedents are the insured and the beneficiary respectively in policies of life or accident insurance and there is no sufficient evidence that they died otherwise than simultaneously, the proceeds of each policy shall be distributed as if the person whose life was insured therein survived.

CHAP. 112

Sec. 5. Act not retroactive. This act shall not apply to the distribution of the property of any person dying before this act takes effect nor to the distribution of the proceeds of any policy of life or accident insurance the effective date of which is prior to that upon which this act takes effect.

Sec. 6. Act does not apply if decedent provides otherwise. This act shall not apply in the case of wills, deeds, or contracts of insurance wherein provision has been made for distribution different from the provisions of this act.

Sec. 7. Uniformity of interpretation. This act shall be so construed and interpreted as to effectuate its general purpose to make uniform the law in those states which enact it.

Sec. 8. Short title. This act may be cited as the "Uniform Simultaneous Death Act."

Sec. 9. Repeal. All laws or parts of laws which are inconsistent with the provisions of this act are hereby repealed.

Sec. 10. Severability. If any of the provisions of this act or the application thereof to any persons or circumstances is held invalid such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provisions or application, and to this end the provisions of this act are declared to be severable.

Approved March 29, 1941

Chapter 112

AN ACT Relating to Voting Booths.

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

R. S., c. 8, § 14, amended. Section 14 of chapter 8 of the revised statutes, as amended, is hereby further amended to read as follows:

'Sec. 14. Voting compartments to be provided for use of voters while marking their ballots. The municipal officers in each city, town, or plantation, as aforesaid, shall cause the polling places therein to be suitably provided with a sufficient number of voting shelves and compartments, at or in which voters may conveniently mark their ballots so that in the marking thereof they shall be screened from the observation of others, and each voting shelf and compartment shall have a wooden swing door or drop curtain so arranged that the top thereof shall be not less than 6 feet from the floor and the bottom of the door or drop curtain shall be at least 2