

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.

KENNEBEC JOURNAL
AUGUSTA, MAINE
1941

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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Ninetieth Legislature

1941

given reasonable care is deemed a violation of the provisions of sections 3, 5, 6 and 7 of this chapter.'

Sec. 2. R. S., c. 43, § 7, amended. Section 7 of chapter 43 of the revised statutes, as amended by chapter 247 of the public laws of 1939, is hereby further amended to read as follows:

'Sec. 7. Agents and dealers in nursery stock to obtain a license; fee; disposition of fees; revocation of license; penalty. No person, firm or corporation shall engage in, continue in, or carry on the business of selling or dealing in nursery stock, or solicit purchases of nursery stock within this state, either as owner thereof, or as agent of such owner, without first obtaining a license to carry on and conduct such business in this state. The form of license shall be prescribed by the state horticulturist, and the licenses shall be issued by him upon proper application therefor, and shall expire on December 31 of each year. The license fee shall be ~~\$\$~~ \$1 per year, excepting that for growers of strawberry, blackberry and raspberry plants, gladiolus, dahlias, and herbaceous plants out-of-doors, and whose total area of land devoted to those plants does not exceed $\frac{1}{4}$ acre, there shall be no license fee. The license shall be issued in the name of the nurseryman, dealer, solicitor, salesman or agent, as the case may be, and no license shall be assigned or transferred. Licenses of salesmen, dealers, agents or solicitors shall show the name and location of nursery and place of business of the nurserymen or tree dealers whom they represent or from whom they purchase their stock. Each separate agent and each separate store acting under a general agent or store must have a license as provided in this section. Fees obtained from such licenses shall be paid into the state treasury and added to the appropriation of the bureau of horticulture, to carry out the purposes of sections 1 to 12, inclusive, of this chapter. Such license may be revoked at any time for failure to comply with the aforesaid requirements, or for such other causes as may in the opinion of the commissioner of agriculture be sufficient. Any violation of this section shall be punishable by a fine of not less than \$10, nor more than \$50 for each offense.'

Approved April 4, 1941

Chapter 167

AN ACT Relating to Pasteurized Milk.

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

P. L., 1937, c. 226, § 2, sub-section B, amended. Sub-section B of section 2 of chapter 226 of the public laws of 1937 is hereby amended to read as follows:

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'B. Pasteurized milk. Pasteurized milk is milk, every particle of which, has been heated in equipment of a type and design approved by the commissioner of agriculture to a temperature of 142° to 145° F., and held at this temperature for 30 minutes, or to such higher temperature for such time intervals as the commissioner of agriculture may from time to time determine, after which it shall be immediately cooled to below 50° F., and held at this temperature until delivered to the consumer. The bacterial count shall not exceed 25,000 per c. c.'

Approved April 4, 1941

Chapter 168

AN ACT Relating to Apportionment of School Funds.

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

Sec. 1. R. S., c. 19, § 206, amended. Section 206 of chapter 19 of the revised statutes is hereby amended to read as follows:

'Sec. 206. Reimbursement to towns for tuition for pupils attending secondary schools. When any town shall have been required to pay and has paid tuition for pupils attending secondary schools, as provided by section 93, the superintendent of schools of such town shall make a return under oath to the commissioner of education before the 1st day of September, annually, for the preceding school year, stating the name of each pupil for whom tuition has been paid, the amount paid by the town for each, and the name and location of the school which each has attended. Upon the approval of said return the commissioner of education shall apportion to such town a sum equal to $\frac{2}{3}$ the amount thus paid by such town. Provided, further, that tuition for such pupils may be paid by towns to an amount not exceeding the average cost per pupil for the year preceding that for which the tuition is paid in the school attended by such pupil, but such payment by any town shall not exceed \$100 for any pupil for any one year, and reimbursement to any town for any one year shall not exceed \$700. Provided, further, that any town not maintaining a high school may pay tuition for any student who with parents or guardian, resides in said town and who attends an approved school of secondary grade in a town adjacent to the state of Maine in another state, when distance and transportation facilities make attendance in a Maine high school or academy inexpedient. Provided, however, that when pupils are sent from one city, town or plantation to another, any accounts for tuition of such pupils shall become due and payable on the 30th day of June, at the end of that school year; if such accounts be not paid on or before the 1st day of September