

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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PROPERTY OF THE
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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Ninetieth Legislature

1941

CHAP. 206

'Sec. 2. Certain garages may be licensed as official inspection stations. Upon written application giving such description of the garage and its equipment as may be required by the secretary of state, the secretary may license such garage as an official inspection station located as to convenience the public for the purposes of carrying out the provisions of section 1 hereof. ~~No application as an official inspection shall be made~~ No application for a license to operate an official inspection station shall be considered unless the garage and equipment of the applicant shall comply with the provisions of ~~the secretary law~~, to wit: a garage building to be used as an inspection station shall be at least 12 feet wide and 40 feet in length, and shall have a level floor and shall be equipped with a screen or chart for the purpose of testing lights, and with tools and machinery necessary to make repairs to motor vehicles. Before granting ~~an application for~~ a license as an official inspection station the premises shall be examined by a member of the state police, and the operator investigated as to his reliability and fitness for such appointment. Upon approval of an inspection station, the secretary of state shall issue a license and sign for which he shall charge a fee of \$2.'

'Sec. 3. Fee. The operator of any official inspection station shall conduct the inspection of motor vehicles presented to him for that purpose in accordance with the rules and regulations promulgated by the secretary of state, for which he shall receive a fee of 50c for each car inspected, this sum not to include labor or material used in correction of faults in equipment.'

Approved April 11, 1941

Chapter 206

AN ACT Relating to the Preemptive Right of Stockholders.

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

R. S., c. 56, § 48, amended. Section 48 of chapter 56 of the revised statutes, as amended by chapter 62 of the public laws of 1939 and as further amended by "An Act Relating to the Reorganization of Corporations Under the National Bankruptcy Act" enacted at the present session of the legislature, is hereby further amended by striking out the last paragraph thereof and substituting in place thereof the following:

'Whenever the outstanding capital stock of any corporation is increased by an issue of additional shares having a right to vote, all stockholders having a right to vote at the time of the issue of any such shares shall

enjoy a preemptive right at such time to subscribe thereto, unless such right shall be negatived by some statute applicable thereto, by the charter or by-laws of the corporation or by the provisions of a plan of reorganization of any corporation at any time reorganized under the provisions of the act of congress of July 1, 1898 entitled "An Act to Establish a Uniform System of Bankruptcy Throughout the United States" or under the provisions of an act of congress of August 26, 1935 entitled "Public Utility Holding Company Act of 1935", as now or hereafter amended or supplemented.

Provisions of the charter or by-laws relating to preemptive rights may be adopted or amended at any time by the stockholders having a right to vote at any meeting, the call for which shall give notice of the proposed action, by 90% of the shares which are present or represented at the meeting.'

Approved April 11, 1941

Chapter 207

AN ACT Relating to the Counting of Ballots.

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

R. S., c. 8, § 18, amended. Section 18 of chapter 8 of the revised statutes, as amended, is hereby further amended to read as follows:

'Sec. 18. Ballots, how counted. The ballots shall be sorted and counted in open town or ward meeting by election officials, duly sworn by town or city clerks who shall be considered public officials. Any person in the employ of any political party or its agents or in the employ of any candidate for election or his agent or in the employ of any corporation interested in any referendum within 6 months next prior to the election or referendum shall not serve as such election officer. The ballots counted by the election officers shall be made up into a secure packages and each such package shall have plainly written or stamped thereon the name of the officials counting the ballots in such package; and all such election officers shall sign and file a sworn statement of their count of such package that they counted with such package. The counting of ballots shall be done in such manner as to afford the electors present opportunity to observe the sorting and counting, and the result shall be declared and recorded in open town or ward meeting. ~~When the ballots have been so sorted and counted and the result so declared and recorded, all the ballots and sworn statements of said officials shall in open meeting be sealed in a package,~~