

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-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

PROPERTY OF THE
STATE OF MAINE
NOT TO BE SOLD

PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Ninetieth Legislature

1941

and in the town of Woolwich for at least 3 consecutive months prior to making application for license.

Sec. 2. Dealers' licenses required; definition. No person shall be a dealer in clams, clam worms, or blood worms in the town of Woolwich, without having first obtained a license from the municipal officers of said town, who are hereby authorized to issue such license and fix the fee therefor. The term "dealer" herein used shall mean any person, firm or corporation buying clams, clam worms, or blood worms for resale.

Sec. 3. Licenses, revocation, appeal. The municipal officers may revoke any license issued hereunder by them, upon evidence satisfactory to them that the person taking or selling clams, clam worms, or blood worms has violated any of the laws of the state of Maine, regulating the taking and sale of clams, clam worms, or blood worms. If the municipal officers refuse to issue the license provided for in this act or if a license has been revoked by the municipal officers, a person aggrieved may apply to any justice of the superior court, in term time, or vacation, who may order the issuance or restoration thereof, provided said justice finds the municipal officers acted fraudulently or corruptly or erred in their conclusion of facts.

Sec. 4. Penalty. Whoever violates any of the provisions of this act shall be punished by a fine of not less than \$10 nor more than \$100 or by imprisonment for not more than 30 days. Municipal courts and trial justices shall have original jurisdiction concurrent with the superior court of prosecutions for violations hereof.

Approved April 23, 1941

Chapter 267

AN ACT Relating to the Stipend for Agricultural Societies.

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

Sec. 1. R. S., c. 39, § 25, amended. Section 25 of chapter 39 of the revised statutes, as amended, is hereby amended to read as follows:

Sec. 25. State aid to agricultural societies; apportionment; procedure for apportioning stipend. There shall be appropriated annually from the state treasury a sum of money not to exceed 2c per inhabitant of the state, which shall be known as the state stipend for aid and encouragement to agricultural societies and hereafter in this chapter designated as the stipend. This stipend shall be divided among the legally incorporated agricultural clubs, societies and fair associations of the state, hereafter in this

CHAP. 267

chapter designated as societies, according to the following schedule and method. Said stipend shall be divided pro rata among the legally incorporated societies, not heretofore provided for according to the amount of premiums and gratuities actually paid in full and in cash or valuable equivalent by said societies upon horses, cattle, sheep, and swine, poultry and agricultural and domestic products, but no such society whether specifically mentioned in this chapter or otherwise shall be entitled to any share of the stipend unless it shall have complied with the following requirements, which shall be considered by the commissioner of agriculture hereinafter known as the commissioner, as the basis upon which his apportionment of the stipend shall be made as provided in section 8 of this chapter. Each society claiming a share of the state stipend under this section shall file with the commissioner not later than December 31st of the year for which said stipend is requested, a statement made under oath, by its treasurer, setting forth the financial condition and transactions of the society, the amounts paid in premiums in the several classes or displays herein provided for, and such additional information relative to the character of displays, and the conduct of exhibitions as the commissioner may request, and upon blanks to be furnished by him. No premiums or gratuities shall be considered by the said commissioner in apportioning the amount of stipend to which any society is entitled except those offered and paid upon horses, cattle, sheep and swine, poultry, vegetables, grain, fruit, flowers, products derived from horses, cattle, sheep and swine, home canned foods, grange exhibits, farm exhibits, boys' and girls' club exhibits, domestic and fancy articles produced in the farm home, and pulling contests by horses and oxen, and in no case shall the amount allowed on account of premiums paid in said class of domestic and fancy articles exceed the total amount allowed as premiums upon vegetables, grain, fruits, and flowers. No society, the Maine pomological society excepted, shall receive from the state a sum greater than that actually raised and paid by the society as premiums and gratuities in the classes herein provided, and in no case shall any society be entitled to any share of the stipend unless it shall have raised and paid in premiums in the classes heretofore set forth at least \$200. No society shall receive any portion of the stipend in excess of \$3000. No society shall receive any portion of such stipend unless it shall have regularly entered and displayed in an attractive manner upon its exhibition grounds not less than 100 separate and distinct exhibits or entries of vegetables, fruits, or dairy products of a quality acceptable to the commissioner or his regularly authorized agent and of varieties known to be common or standard to the county in which such exhibition is held. The stipend may, however, be paid to such agricultural society or societies as may display a lesser number of exhibits of vegetables, fruits, or dairy products, than as hereinbefore required, provided the commissioner shall certify that in his

opinion such society or societies have been unable for good and sufficient reasons to secure such required number of exhibits. No society shall be entitled to any share of the stipend unless it shall require all cattle exhibited or allowed upon its grounds at exhibition time to be tuberculin tested within 3 years previous to the date of its exhibition and declared free from tuberculosis by a veterinarian approved by the commissioner, and in the distribution of such stipend no allowance shall be made or consideration given on account of lump sums, payments or premiums previously arranged and agreed upon by exhibitors and the officers of any agricultural society for the presentation and display of any animals or products without regard to competition which may subsequently appear. ~~Each and all societies receiving aid from the state under this section shall cause the prohibitory liquor law to be enforced on all grounds over which they have control and not allow immoral shows, gambling in any form, or games of chance on said grounds.~~ Neglect or failure on the part of any society to observe any of the foregoing requirements shall be deemed sufficient cause for withholding such society's share of the stipend, and the commissioner is required and directed to authorize payment of stipend only to such societies as have observed all of the said requirements.

Provided, however, that the conducting of pari mutuel betting by any such society under license of the state racing commission in accordance with the provisions of chapter 130 of the public laws of 1935, shall not be deemed cause for withholding such society's share of the stipend.'

Sec. 2. R. S., c. 39, §26, amended. Section 26 of chapter 39 of the revised statutes is hereby amended to read as follows:

'Sec. 26. Payments withheld until certain certificates and specifications are filed; investigation of complaints. No payment of any state aid, whether made under the provisions of the preceding section or by special appropriation, shall be made to any society until the treasurer thereof files with the treasurer of state a certificate on oath, stating the amount raised by it and containing the specifications required in section 29; and also a certificate from the commissioner of agriculture that he has examined into the claim of said society; that in his opinion it has complied with the provisions of sections 29 and 32 and with the following section; that there has been awarded and paid by said society as premiums and gratuities a sum at least equal to the amount apportioned to said society, ~~and that the provisions in regard to immoral shows, gambling, and the sale of intoxicating liquors have been strictly complied with.~~ In case of any complaint in writing, signed by the complainant, of the violation of any of the provisions of this chapter relating to the payment of state aid in any form to agricultural societies, the commissioner of agriculture may investigate such alleged violation, and employ such agents and counsel as may be necessary, to aid

CHAP. 268

him in such investigation, and the expense incurred shall be paid out of the general appropriation for aid of agricultural societies; provided, that when it is found upon such investigation that the society against which complaint has been made has violated the provisions of this chapter, the expense of such investigation shall be paid from the amount that would otherwise have been paid to said society; provided, further, that if the society against which the complaint is made receives its aid by special enactment, then the expense of the investigation shall be paid from the said appropriation for such society.'

Sec. 3. R. S., c. 39, § 26-A, additional. Chapter 39 of the revised statutes is hereby amended by adding thereto a new section 26-A, to read as follows:

'Sec. 26-A. Law enforcement at agricultural fairs. The chief of the state police shall assign members of the state police to special duty at all agricultural fairs for the purpose of enforcing the laws of the state.

All local and county law enforcement officers are hereby directed to cooperate with the state police.

In case the said chief of police discovers that any agricultural club, society, or fair association permits illegal sale of liquor, gambling or exhibitions of immoral shows at any such fair, he shall report the fact to the commissioner of agriculture who may on such report refuse to pay the stipend provided for in this chapter.'

Approved April 21, 1941

Chapter 268

AN ACT Relating to Annual Audits in Cities, Towns, Plantations and Village Corporations.

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

R. S., c. 5, § 97, amended. Section 97 of chapter 5 of the revised statutes, as amended by chapter 216 of the public laws of 1937, is hereby repealed and the following enacted in place thereof:

'Sec. 97. Annual audit of cities, towns, plantations and village corporations provided for. The municipal officers of every city, town, plantation, and village corporation in the state shall have an audit made of its accounts annually covering the last complete municipal year by either the state department of audit or by individuals or firms recognized as competent auditors by training and experience or by qualified public accountants.