

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES  
AS PASSED BY THE  
Ninetieth and Ninety-first  
Legislatures  
OF THE  
STATE OF MAINE  
From April 26, 1941 to April 9, 1943  
AND MISCELLANEOUS STATE PAPERS

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**PUBLIC LAWS**

OF THE

**STATE OF MAINE**

As Passed by the Ninety-first Legislature

**1943**

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## CHAP. 271

bridge maintained by such corporation and said commission, after notice and hearing thereon, may confirm or modify such action.'

Effective July 9, 1943

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## Chapter 271

AN ACT Relating to Allocations and Unappropriated Surplus Account.

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

R. S., c. 2, §§ 101, 102, 103, 104, amended. Sections 101, 102, 103, and 104 of chapter 2 of the revised statutes are hereby repealed and the following sections enacted in place thereof:

'Sec. 101. Unappropriated surplus; how made up; how accumulated balance may be used. The state controller shall open on the books of the state an account to be known as "Unappropriated Surplus", to which shall be transferred at the first month end following the effective date of this law, any balance at that date in the sinking fund reserve. The balances of all revenue and appropriation accounts not otherwise provided for by law, together with any other necessary adjustments of balances previously closed to unappropriated surplus account, shall be closed to this account at the end of each fiscal year. Any amounts authorized for allocation by the governor and council or representing permanent working capital advances shall be removed from unappropriated surplus and set up in separate accounts so that the balance of the unappropriated surplus account shall be the amount of free and unencumbered surplus according to generally accepted accounting principles.'

'Sec. 102. Allocations from general fund. The governor, with the advice and consent of the council, may allocate from the state contingent account amounts not to exceed in total the sum of \$300,000 in any fiscal year. Such allocations may be made to meet any expense necessarily incurred under any requirement of law, or for the maintenance of government within the scope existing at the time of the previous session of the legislature or contemplated by laws enacted thereat, or to pay bills arising out of some emergency requiring an expenditure of money not provided by the legislature. The governor and council shall determine the necessity for such allocations, and all such allocations shall be supported by a statement of facts setting forth the necessity for the allocations. At the close of each fiscal year there shall be transferred from unappropriated surplus an amount sufficient to restore the state contingent account to \$300,000.'

'Sec. 103. Report of state controller relating to the contingent account and unappropriated surplus account. The state controller shall include in

his annual report at the close of each fiscal year, a statement showing all transfers made from the state contingent account for the prior year, and shall also submit a statement of the unappropriated surplus account, reflecting all changes in this account during the fiscal year, and the balance of this account at the close of the fiscal period.'

Effective July 9, 1943

## Chapter 272

AN ACT Relating to Compensation of Employees Who Have Received Prior Injuries.

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

R. S., c. 55, § 13-A, additional. Chapter 55 of the revised statutes is hereby amended by adding thereto a new section to be numbered 13-A, and to read as follows:

'Sec. 13-A. Permanent total incapacity due partly to prior injury; second injury fund. If an employee who has previously lost, or lost the use of, 1 hand, 1 arm, 1 foot, 1 leg, or 1 eye, becomes permanently and totally incapacitated through the loss or loss of use of another member or organ, the employer shall be liable only for the compensation payable for such second injury. Provided, however, that in addition to such compensation and after the completion of the payments therefor, the employee shall be paid the remainder of the compensation that would be due for permanent total incapacity, out of a special fund known as the "second injury fund", and created for such purpose in the following manner:

In every case of the death of an employee under this act where there is no person entitled to compensation, the employer shall pay to the industrial accident commission the sum of \$300, to be deposited with the treasurer of state for the benefit of said fund, and the commission shall direct the distribution thereof.'

Effective July 9, 1943

## Chapter 273

AN ACT to Authorize and Provide for the Temporary Admission to Practice in this State of Physicians and Camp Physicians to Protect the Health of the Civilian Population During the War Emergency Period.

Emergency preamble. Whereas, a serious public emergency exists or may exist in this state because of the demands of the armed services for physicians and dentists, and