

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

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
1943

PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Ninety-first Legislature

1943

Chapter 320

AN ACT Relating to Bonds to be Furnished by State Officials and Employees.

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

Sec. 1. Bonds required of state officials and employees. The state auditor and commissioner of finance shall, as of March 31 of each year, prepare a list of all state officials and employees, except the state treasurer, his deputy and employees, who handle, have the custody of, or are in any way responsible for the collection, receipt, disbursement, safekeeping or transfer of either money, negotiable instruments or securities, or other property, either real or personal, belonging to the state, or in which the state has a pecuniary interest, or for which the state is legally liable, or which is held by the state in any capacity whether the state is liable therefor or not. From said list they shall designate those state officials and employees who, in their opinion, should be bonded and the amount of the bond which should be required from each such official and employee. They shall further from time to time designate bonds which should be increased or decreased, and shall designate what if any additional bond should be required either from an official or employee who changes his employment within state departments, or from a newly appointed or elected official or employee. All such designations shall be submitted to the governor for his approval, and within 10 days after the granting of such approval each such designated official or employee shall give a bond as hereinafter provided executed by a surety company authorized to do business within the state. The state auditor and commissioner of finance shall select the type of bond, in form prescribed by the insurance commissioner, which shall be given. All said bonds shall be filed with the state auditor for safekeeping. All bonds written before the effective date of this act, in compliance with existing statutes, shall continue in force until their normal expiration dates as though the statutes hereinafter repealed had remained in full effect; no official or employee who has furnished a bond before the effective date of this act, while the bond is in force, shall be obliged to give a new bond until the normal expiration date of the existing bond.

Sec. 2. Premiums. The premiums necessarily incurred and due and payable on account of any bond required and given by any official or employee of any state department shall be paid out of the state treasury and the amount thereof charged to the appropriation of the particular department in which such official or employee is engaged.

Sec. 3. Form of bonds. The insurance commissioner shall from time to time prescribe the forms of bonds, and no bonds given by officials or

employees of the state shall be accepted until they comply with the prescribed forms. The insurance commissioner shall prescribe a form of rider, or change notice, to provide for increases and decreases of said bonds, and he is expressly authorized to execute and accept for the state said riders, or change notices, specifying the effective date of such increase or decrease in the bond amounts. The insurance commissioner is expressly authorized to accept a cancellation notice from the surety on any bond, cancelling said bond in full or as to any individual, provided the surety gives written notice to said insurance commissioner of such desire and intent, and that said cancellation notice is received by the insurance commissioner at least 30 days before the effective date of such cancellation. The condition of each bond, given by each such official or employee, shall be to faithfully discharge the duties of the office or employment of the principal. The principal and the surety shall not be liable to the state for any default or failure to faithfully discharge the duties of the office or employment by any other principal, or by any person not required to give bond.

Sec. 4. Repealing clause. All acts of the legislature dealing with bonds to be furnished by state officials and employees other than the state treasurer are hereby specifically repealed, and, without limitation upon the foregoing, the following enactments, in so far as they are inconsistent with the provisions of this act, are specifically repealed.

**OFFICIALS AND EMPLOYEES OF THE STATE OF MAINE
PREVIOUSLY BONDED AS PROVIDED BY STATUTE**

Title	Chapter	Section
Adjutant General	18	15
Assistant Librarian	4	2
Librarian	4	2
Bank Commissioner	57	1
Chiropractic Board—Sec. & Treas.	21	72
Commissioner of Agriculture	39	1
Agents of Indian Tribes	17	4
Fish & Game Wardens	38	12
Forest Commissioner	11	1
Insane Hospitals—Treasurer	155	12
Insane Hospitals—Steward	155	13
Insurance Commissioner	60	83
Osteopaths—Sec. & Treas.	21	61
Public Officials	125	56
Sea & Shore Fish Wardens	50	5

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Title	Chapter	Section
Secretary of State	2	61
State Auditor	2	97
Commissioner of Education	19	161
State Police Chief	29	126
State Police—All Others	29	126
State School for Boys—Supt.	154	11
Supt. of Public Buildings	2	29

For the purposes of this act the officers of the Chiropractic board and of the Osteopathic board and the treasurers of examining boards shall be classified as state officials.'

Effective July 9, 1943

Chapter 321

AN ACT Relating to Medical Examiners.

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

R. S., c. 151, § 2, amended. Section 2 of chapter 151 of the revised statutes, as amended by section 2 of chapter 241 of the public laws of 1939, is hereby repealed and the following enacted in place thereof:

'Sec. 2. Notice of finding of body. Whoever finds the body of any person who may be supposed to have come to his death by violence or unlawful act, shall immediately notify one of the municipal officers, a police officer or constable if in a city or town; or a member of the board of assessors if in a plantation; and if in an unorganized place, the most readily accessible of such officials in any city, town or plantation within the county. Such official shall immediately take charge of such body and retain custody thereof without moving the same, except as hereinafter provided, until the arrival of a medical examiner, the county attorney, the sheriff or a member of the state police. The official taking charge of said body shall immediately notify the county attorney or sheriff who shall in turn arrange for the attendance of the most readily accessible medical examiner. If the body, where found, is in danger of being destroyed or damaged by fire, vehicular traffic or otherwise, or of being lost in any body of water, any person may take such steps as may seem necessary for its preservation or retention, prior to the arrival of the medical examiner, sheriff, a member of the state police, or the county attorney, but in such event shall first, whenever practicable, exactly mark the location and position of the body. If no such danger exists, the body shall not be moved until the arrival of the medical examiner, the sheriff, a member of the state police, or the county