

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES  
AS PASSED BY THE  
Ninety-first and Ninety-second  
Legislatures  
OF THE  
STATE OF MAINE

From April 10, 1943 to April 21, 1945  
AND MISCELLANEOUS STATE PAPERS  
From April 10, 1943 to May 24, 1945

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Published by the Revisor of Statutes in accordance  
with Chapter 10 of the Revised Statutes of 1944.

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KENNEBEC JOURNAL  
AUGUSTA, MAINE  
1945

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

As Passed by the Ninety-second Legislature

**1945**

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## Chapter 249

### AN ACT Relating to License Fees for Amusement Shows.

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

R. S., c. 88, § 53, amended. The 1st paragraph of section 53 of chapter 88 of the revised statutes is hereby amended to read as follows:

'The municipal officers of towns may grant licenses for any of the exhibitions or performances described in the preceding section, on receiving for their town such sum as they deem proper, 24 hours or more being allowed for such exhibitions or performances as they may determine; and they shall prosecute, by complaint for the use of their town, all violations of the preceding section. No traveling circus or traveling amusement show shall exhibit any parade, show, or entertainment in this state without first paying a state license of \$500 in the case of a circus and \$25 in the case of amusement shows for each calendar year. Application for such license shall be made to the state ~~tax assessor~~ insurance commissioner and shall contain the name of the person or corporation owning or operating said traveling circus or said traveling amusement show and a statement of the proposed territory within the limits of said state and the names of the cities and towns in which said traveling circus or said traveling amusement show is to exhibit. Upon the payment of the sum of \$500 or \$25, as the case may be, a license shall issue, conditioned that no traveling amusement show shall operate, within 30 miles of the fairgrounds of any agricultural society, during the 2 weeks immediately preceding or during the time of any annual exhibition thereof.'

Effective July 21, 1945

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## Chapter 250

### AN ACT Relating to Permits for Digging Into and Opening Streets and Highways.

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

Sec. 1. R. S., c. 84, § 114, amended. Section 114 of chapter 84 of the revised statutes is hereby amended to read as follows:

'Sec. 114. Penalty. Any person or persons, firm, corporation, or bridge or water district, who shall dig or make an excavation in the drive-

way of any public highway without first obtaining such permit as provided for in the preceding section or who having obtained such permit shall disturb a greater area of surface than specified in such permit, ~~shall~~ may be punished by a fine of \$25 for each offense.'

· Sec. 2. R. S., c. 84, § 115, amended. Section 115 of chapter 84 of the revised statutes is hereby amended to read as follows:

'Sec. 115. A record of all permits to be kept; fees for excavation permits. The commissioner of public works, or such officer as the city government may appoint, shall keep a record of all permits granted by him, ~~and before any permit is granted~~ work done by the city employees excepted ~~the~~. The applicant shall pay to the city treasurer for every permit for making an excavation within the driveways of any public highway paved with broken stone, concrete, bitulithic, granite block, brick, wood block, sheet asphalt, or other pavements the following fees: for sheet asphalt, wood block, brick, and granite block, all on concrete base, \$6 per square yard; for granite block on gravel base, bitulithic, and concrete, \$3.50 per square yard; ~~and~~ for broken stone and ~~all~~ other similar pavements, \$2.50 per square yard; for bituminous surface, treated gravel or untreated surface, \$1 per square yard; and for untreated shoulder, 50c per square yard for any amount not exceeding 50 square yards, plus actual cost of repairs for any amount exceeding 50 square yards. All such fees paid to the city treasurer shall be regularly accounted for by him in his report to the city government, and shall constitute a special fund for the repaving of said cuts; when such cuts are repaired by the street department, the cost thereof shall be charged to said fund.

Sec. 3. R. S., c. 84, § 116, amended. The 1st sentence of section 116 of chapter 84 of the revised statutes is hereby amended to read as follows:

'It shall be unlawful for any person or persons, firm, corporation, or bridge or water district, having the right of opening or making excavations within the driveways of public highways in the city, to leave open at any time any trench or excavation of a greater length than 200 feet, except by permission of the officer granting such permit; and such person or persons, firm, corporation, or bridge or water district shall fully and completely fill up such trench to the surface of the ~~bed upon which the pavement is to be~~ ~~re-laid~~ roadway, before making any further trench or excavation; such filling shall be puddled or rammed as the nature of the soil may require, and shall be done and completed within the time designated in the permit for completing such trench or excavation; any person or persons, firm, corporation, or bridge or water district, failing to comply with the requirements,

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or infringing on the prohibitions of this section, ~~shall~~ may be punished by a fine of \$50 for each offense; provided that these requirements, prohibitions, and penalties shall not apply to excavations in grading, building, or repairing any of the public highways under the supervision of the city authorities.'

Sec. 4. R. S., c. 20, § 10, amended. Section 10 of chapter 20 of the revised statutes is hereby amended to read as follows:

'Sec. 10. Certain provisions shall be enforced by commission. The provisions of section 18 of chapter 46 and of sections 112 to 120, inclusive, of chapter 84, relating to the repair of ways dug into, ~~may~~ shall be enforced by the commission wherever ~~state or state aid~~ highways maintained by the state are affected.'

Effective July 21, 1945

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## Chapter 251

### AN ACT Relating to Pauper Settlement.

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

Sec. 1. R. S., c. 22, § 260, amended. Section 260 of chapter 22 of the revised statutes is hereby amended to read as follows:

'Sec. 260. Old age assistance provided for; applications. Subject to the qualifications and restrictions contained in sections 256 to 274, inclusive, every person residing in this state shall be entitled to assistance in old age. The amount of assistance which any person shall receive shall be determined on a budgetary basis with due regard to the conditions existing in each case and in accordance with the rules and regulations made by the department. This assistance shall be sufficient, when added to all other income and support of the recipient, to provide such person with a reasonable subsistence compatible with decency and health, but not exceeding \$40 per month. ~~No person receiving assistance under the provisions of sections 256 to 274, inclusive, shall be deemed a pauper.~~ Applications for old age assistance under the provisions of this section may be made to either the state or the municipal officers of the cities, towns, and plantations in which the applicant resides, in accordance with such regulations as the commissioner of the department shall prescribe. Said applications shall be made on blanks furnished by the department and forwarded by said municipal officers to said department.'