

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
AS PASSED BY THE
Ninety-second and Ninety-third
Legislatures
OF THE
STATE OF MAINE
From April 22, 1945 to May 14, 1947
AND MISCELLANEOUS STATE PAPERS
From May 25, 1945 to May 14, 1947

Published by the Revisor of Statutes in accordance
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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Ninety-third Legislature

1947

public laws of 1945, is hereby repealed and the following enacted in place thereof:

'Sec. 10. Rights granted commission in connection with highway openings. Wherever highways maintained by the state are affected, whether said highways are situated in cities, in towns or in plantations, the commission shall have all and the same rights, powers and duties in connection therewith as are granted to cities in city streets by the provisions of sections 112 to 120, inclusive, of chapter 84, as amended, and to cities and towns by the provisions of sections 16 and 18, as amended, of chapter 46. Whenever the opening fee provided by section 115 of chapter 84 or by section 18-B of chapter 46 has been paid to the commission and a permit for digging up and opening a highway maintained by the state has been issued by the commission, the holder of said permit shall be entitled to make the opening described therein without the payment of fees to the city or town in which the street, road or highway to be opened is situated.'

Effective August 13, 1947

Chapter 253

AN ACT to Clarify the Military Law.

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

Sec. 1. R. S., c. 12, § 9, amended. The 1st sentence of section 9 of chapter 12 of the revised statutes is hereby amended to read as follows:

'The staff of the commander-in-chief shall consist of the adjutant-general, who shall be ex officio chief of staff, quartermaster-general and paymaster-general with rank of brigadier-general; the senior officer on duty with each of the staff departments; and such aides-de-camp not to exceed 5 in number, one of whom may be a naval aid with rank of ~~lieutenant commander~~ captain, as may be appointed by the governor.'

Sec. 2. R. S., c. 12, § 51, amended. Section 51 of chapter 12 of the revised statutes is hereby amended by adding at the end thereof the following:

'Trial justices and municipal courts within their counties shall have original and concurrent jurisdiction with the superior court in all prosecutions for the violations of the provisions of this section.'

Sec. 3. R. S., c. 12, § 58, amended. The 1st paragraph of section 58 of chapter 12 of the revised statutes is hereby amended to read as follows:

'Each officer and enlisted man of the national guard or other authorized

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state military or naval forces ordered by the commander-in-chief or under his authority for duty at encampments, maneuvers, field exercises, small arms competitions, or other special duties or when called forth in aid of the civil authorities, shall, unless otherwise stated in specific orders relative to said duty, receive for every day actually on duty the same pay as officers, warrant officers and enlisted men of the same grade and classification in the regular army, and no more, provided ~~that warrant officers shall be paid \$5 a day and enlisted men of grade I as now or hereafter established for the regular army shall be paid not less than \$2.50 per day; grade II, \$2.25; grade III, \$2.00; grade IV, \$1.90; grade V, \$1.75; grade VI, \$1.60; grade VII, \$1.50, and provided further that all band musicians shall be paid not less than \$4.00 per day and all specialists shall be paid the same additional compensation as is allowed the corresponding classes of specialists in the regular army;~~ there shall be allowed the necessary transportation and subsistence, but no pay or compensation shall be allowed except as otherwise provided by law when ordered for inspection, muster, small arms practice, drill, parade, review, field service or practice marches or other special duties unless expressly authorized in the order for such duties.'

Sec. 4. R. S., c. 12, § 72, amended. Section 72 of chapter 12 of the revised statutes is hereby amended to read as follows:

'Sec. 72. United States army and national guard regulations to govern. Matters of military courtesy and discipline; precedence of regiments and corps; details and working parties; special duty; official designation and duties of officers; records; flags, colors and standards; instruction and administration of regiments, battalions and companies; interior economy of companies; rosters, detachments and daily service; honors, courtesies and ceremonies; guards; practical and theoretical instruction; care, accountability and responsibility for public property; surveys of property; staff administration and general duties of the staff corps; military correspondence; orders; muster-rolls; return of troops and battle reports; arrest and confinement; and field service shall, in general and so far as practicable and consistent with the provisions of this chapter, be as prescribed ~~in the regulations for the armies of the United States~~ United States army and national guard regulations.'

Sec. 5. R. S., c. 12, § 79, amended. The last sentence of section 79 of chapter 12 of the revised statutes is hereby amended to read as follows:

'The commanding officer of any camp or armory ~~shall~~ may prohibit the introduction or sale of, or dealing in, ~~beer~~ wine or any intoxicating liquor, within the limits or extended limits of the camp or within the armory, and he may abate as common nuisances all such sales and introductions.'

Sec. 6. R. S., c. 12, § 88, repealed. Section 88 of chapter 12 of the revised statutes is hereby repealed.

Effective August 13, 1947

Chapter 254

AN ACT to Increase the Clerk Hire in the Office of Recorder of the Portland Municipal Court.

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

R. S., c. 79, § 269, amended. The 4th paragraph of section 269 of chapter 79 of the revised statutes, as amended by chapter 225 of the public laws of 1945, is hereby further amended so that said paragraph, so far as it relates to the amount to be paid for clerk hire in the office of the recorder of the Portland municipal court shall read as follows:

‘for clerks in the office of the recorder of the Portland municipal court, ~~\$2,912~~ \$3,744, and for special clerk hire \$1,500, said sum of \$1,500 to be available for a period of 2 years only;’

Effective August 13, 1947

Chapter 255

AN ACT Permitting Towns to appropriate Money in Anticipation of State Appropriations.

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

R. S., c. 20, § 109, amended. Section 109 of chapter 20 of the revised statutes is hereby amended to read as follows:

‘Sec. 109. Towns having money to become available from state for road or bridge work may anticipate expenditure. Any town to which, under any legislative enactment or resolve, money will become available for road and bridge work at the beginning of the fiscal year, may ~~with the advice and consent of the state highway commission,~~ at any time preceding the commencement of the fiscal year for which such appropriation is made, anticipate the expenditure of any appropriation for repair or improvement of a highway or bridge, by arranging to finance such work from funds of the town, or otherwise, prior to the date when such appropriation will become available, with the advice and consent of the state highway commission. Provided, however, that the state highway commission may at any time, from appropriate funds, reimburse towns for expenditures previously