

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

AS PASSED BY THE

## Ninety-fourth Legislature

OF THE

# STATE OF MAINE

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

As Passed by the Ninety-fourth Legislature

**1949**

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PUBLIC LAWS, 1949

CHAP. 378

Sec. 2. R. S., c. 22-A, § 13, repealed and replaced. Section 13 of chapter 22-A of the revised statutes, as enacted by section 1 of chapter 386 of the public laws of 1947, is hereby repealed and the following enacted in place thereof:

'Sec. 13. Amount of aid. The division shall determine the character and amount of aid which shall be granted with due regard to the resources of the veteran and his dependents and the necessary expenditures and conditions existing in each case, and which shall be sufficient, when added to all other income and resources available, to provide such dependents with a reasonable subsistence compatible with decency and health. In determining the amount of aid the division shall use the same budgetary standards as are being used by the department of health and welfare.'

Effective August 6, 1949

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## Chapter 378

### AN ACT Relating to the Tax on Commercial Fertilizer.

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

R. S., c. 14, §§ 217-A-217-D, additional. Chapter 14 of the revised statutes is hereby amended by adding thereto 4 new sections to be numbered 217-A to 217-D, inclusive, to read as follows:

#### 'Fertilizer Tax

Sec. 217-A. Fee on commercial fertilizer sold. Any person, firm or corporation who shall manufacture, sell, distribute, transport, offer or expose for sale, distribution or transportation in this state any mixed fertilizer shall on or before September 1st in each year file with the state tax assessor a sworn statement, in such form as the state tax assessor may prescribe, listing exactly the number of net tons of mixed fertilizer sold by him in the state during the 12 months preceding July 1 of the current year. With the filing of said statement, each such person, firm or corporation shall pay to the state tax assessor a fee of 10¢ a ton of 2,000 pounds for mixed fertilizer so sold. Whenever a statement has been filed and the fee required by this section has been paid, no other person shall be required to pay the fee. The state tax assessor or his agents shall be authorized to examine the books of the person, firm or corporation filing the statement for the purpose of verifying the same.

Sec. 217-B. Disposition of fees. The fees so collected by the state tax

assessor shall be deposited with the treasurer of state and appropriated for carrying out the provisions of sections 162 and 164 of chapter 27 including the cost of inspection, sampling and analysis of commercial fertilizer. Such funds shall not lapse but shall remain a continuing carrying account.

Sec. 217-C. Penalty. Whoever sells, offers or exposes for sale a mixed fertilizer without having filed the statement and paid the fee required by section 217-A shall be punished by a fine of not more than \$100 for the 1st offense, or more than \$200 for each subsequent offense.

Sec. 217-D. Tonnage filed with commissioner of agriculture. Each such person, firm or corporation shall on or before September 1st in each year file with the commissioner of agriculture, on forms prescribed by him, the number of tons of each grade sold during the 12 months preceding July 1 of the current year.'

Effective August 6, 1949

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## Chapter 379

AN ACT Relating to Abandoned Wells or Tin Mining Shafts as Nuisances.

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

R. S., c. 128, § 7, amended. Section 7 of chapter 128 of the revised statutes is hereby amended to read as follows:

'Sec. 7. Certain nuisances described. The erection, continuance or use of any building or place for the exercise of a trade, employment or manufacture, which, by noxious exhalations, offensive smells or other annoyances becomes injurious and dangerous to the health, comfort or property of individuals, or of the public; causing or permitting abandoned wells or tin mining shafts to remain unfilled or uncovered to the injury or prejudice of others; causing or suffering any offal, filth or noisome substance to collect, or to remain in any place to the prejudice of others; obstructing or impeding, without legal authority, the passage of any navigable river, harbor or collection of water; corrupting or rendering unwholesome or impure the water of a river, stream or pond; unlawfully diverting it from its natural course or state, to the injury or prejudice of others; and the obstructing or encumbering by fences, buildings or otherwise, of highways, private ways, streets, alleys, commons, common landing places or burying-grounds are nuisances within the limitations and exceptions hereafter mentioned; and all automobile dumps or automobile graveyards, so called, where old, discarded, worn out or junked automobiles, or parts thereof, are gathered to-