

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES

AS PASSED BY THE

Ninety-fourth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with subsection VI of section 26 of chapter 9 of the Revised Statutes of 1944.

KENNEBEC JOURNAL
AUGUSTA, MAINE
1949



PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Ninety-fourth Legislature

1949

sociation which does business or collects premiums or assessments in the state shall pay to the state tax assessor on the 1st day of May, annually, in addition to the taxes now imposed by law to be paid by such companies or associations, $\frac{1}{2}$ of 1% of the gross direct premiums for fire risks written in the state during the preceding calendar year, less the amount of all direct return premiums thereon and all dividends paid to policyholders on direct fire premiums during said calendar year. The state tax assessor shall pay over all receipts from such tax to the treasurer of state daily. Said funds shall be used solely to defray the expenses incurred by the insurance commissioner in administering all fire preventive and investigative laws, rules and regulations and in educating the public in fire safety and are appropriated for such purposes.

Whenever there shall accumulate in the special fund created by this section a surplus sufficient to defray the expenses of such administration for an ensuing period of 1 year, then, in the discretion of the insurance commissioner, the foregoing special tax for that year may be omitted, and the insurance commissioner shall certify to the state tax assessor that the special tax is to be omitted and said certification is to be made not later than the 31st day of January of the year in which the tax would otherwise be assessed. The premium tax return shall be made at the same time and in the same manner as provided for insurance premium taxes specified in section 136 of chapter 14.'

Effective August 6, 1949

Chapter 400

AN ACT Providing for the Construction, Maintenance and Improvement of Controlled Access Highways.

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

R. S., c. 20, §§ 5-A-5-G, additional. Chapter 20 of the revised statutes is hereby amended by adding thereto the following new sections to be numbered sections 5-A to 5-G, inclusive, to read as follows:

'Sec. 5-A. Controlled access highways defined. A controlled access highway is a highway on which, in the interest of safety and efficiency of operation, abutting property owners have no right of direct access and on which the type and location of all access connections are determined and controlled by the commission.

Sec. 5-B. Regulation of use of controlled access highways. The commission shall have full power and authority to lay out, establish, acquire, open, construct, improve, maintain, discontinue and regulate the use of controlled access highways within this state in the same manner or manners in which said commission may now lay out, establish, acquire, open, construct, improve, maintain, discontinue and regulate the use of highways within the state. The commission shall also have any and all other additional authority and power relative to such controlled access highways as they now respectively possess relative to highways, including the authority and power to acquire or accept title to the lands or rights-of-way needed for the same.

Sec. 5-C. Easements of access; how extinguished, or regulated. Where an existing highway has been designated as, or included within, a controlled access highway by said commission, existing easements of access may be so extinguished by purchase or by taking under eminent domain, in accordance with any existing method now exercised by said commission in purchasing or taking land for highway purposes. Access to such controlled access highway from any existing highway, road or street may be regulated and restricted by the commission. Access to any such controlled access highway from any new highway, road or street shall be subject to the consent and approval of the commission.

Sec. 5-D. Commercial enterprises prohibited. No commercial enterprise or activity shall be authorized or conducted by the commission or any agency or officer of the state within or on the property or right of way acquired for any controlled access highway under the provisions of sections 5-A to 5-G, inclusive, except that the commission may permit the erection or installation of electric power, telegraph, telephone or pipe line facilities within the controlled area.

Sec. 5-E. Signs designating location of service facilities may be erected. The location of service, fuel and recreational facilities may be indicated to the users of any controlled access highway by appropriate signs erected within the right of way, at or near the junction of such access roads as may be provided. The size, style, specifications and location of such signs shall be determined by the commission.

Sec. 5-F. Limitations of sections 5-A to 5-G. The provisions of sections 5-A to 5-G, inclusive, shall not apply to highways other than those in the state highway system as designated by the commission nor to those in the compact or built up areas of any city or town as defined in section 102 of chapter 19 except with the approval of the municipal officers of the city or town wherein such compact or built up area is situated.

Sec. 5-G. Interpretation of sections 5-A to 5-G. The provisions of sections 5-A to 5-G, inclusive, shall be considered supplementary and in addition to any and all other powers now exercised by the commission.'

Effective August 6, 1949

Chapter 401

AN ACT Relating to Salaries of State Department Heads Set by Statute.

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

Sec. 1. R. S., c. 15, § 1, amended. The 2nd paragraph of section 1 of chapter 15 of the revised statutes is hereby amended to read as follows:

'The treasurer of state shall receive an annual salary of ~~\$3,000~~ \$4,000; he shall receive no other fee, emolument or perquisite.'

Sec. 2. R. S., c. 24, § 10, sub-§ (b), amended. Subsection (b) of section 10 of chapter 24 of the revised statutes, as amended by chapter 367 of the public laws of 1945, is hereby further amended to read as follows:

'(b) Salaries. The chairman of the commission shall receive a fixed weekly salary, at the rate of ~~\$5,500~~ \$6,000 per year, and each of the other members shall receive a fixed weekly salary, at the rate of ~~\$5,000~~ \$5,500 per year, and shall be paid from the unemployment compensation administration fund.'

Director's note: See P. L. 1949, c. 430, § 4, sub-§ II.

Effective August 6, 1949

Chapter 402

AN ACT Relating to Interstate Shipment of Shellfish.

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

R. S., c. 34, § 114, amended. The 2nd paragraph of section 114 of chapter 34 of the revised statutes, as revised, is hereby amended by adding at the end thereof the following:

'Provided that in addition to such license a shellfish certificate issued by the commissioner of agriculture, as provided for in section 89, shall be required for shipment beyond the limits of the state of any clams, quahogs or mussels, either in the shell or shucked.'

Effective August 6, 1949