

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-fifth Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Ninety-fifth Legislature

1951

Chapter 260

AN ACT Relating to Schooling in Unorganized Territory.

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

Sec. 1. R. S., c. 32, § 38, sub-§ II, amended. Subsection II of section 38 of chapter 32 of the revised statutes, as enacted by chapter 328 of the public laws of 1947, is hereby amended to read as follows:

'II. the balance then remaining shall be added to the ~~school equalization fund~~ unorganized territory school fund; the treasurer of state shall file with the commissioner of finance, on or before January 15 of each year, a list of interest earned by the unorganized townships fund during the preceding calendar year; such list shall be arranged to show the principal amount held for each unorganized township and the interest earned thereon; the commissioner of finance shall thereupon transfer the total amount of such list, less the allocation provided for in subsection I, to the unorganized territory school fund for the fiscal year following the date of such list; a copy of said list shall be transmitted to the commissioner of education by the treasurer of state.'

Sec. 2. R. S., c. 37, § 146, amended. Section 146 of chapter 37 of the revised statutes, as amended, is hereby further amended to read as follows:

'Sec. 146. Unorganized territory school fund; how used. Such amounts as are necessary to carry out the provisions of the ~~4~~ preceding sections 142, 143, 144, 146, 147, 149 and 155 shall be paid out of such funds as the legislature may appropriate the unorganized territory school fund which is hereby established. The commissioner is authorized to use this ~~appropriation~~ fund for any purpose in connection with the schooling of children in the unorganized territory of the state, including: ~~teachers'~~ salaries, board and traveling expenses of teachers and supervisors; conferences, training programs and professional improvement of teachers; fuel and janitor service; tuition, board and transportation of elementary school pupils; secondary school tuition; ~~text-books and reference books~~, school apparatus and supplies; erection, equipment, repair and maintenance of schoolhouses and requisite buildings, all of which schoolhouses shall conform to the minimum requirements for school buildings as ~~provided~~ required by section 21; lots for school buildings, ~~or~~ leases thereof ~~or~~ rentals of lots ~~or~~ school buildings; minor repairs to school buildings or equipment; services, ~~and~~ expenses, and fees of agents, ~~and~~ attendance officers, and clerical assistance; office expenses; utility service; school medical and dental services; and any other expenses he may deem necessary to carry out the purposes of the above mentioned sections.'

Sec. 3. R. S., c. 37, § 148, amended. Section 148 of chapter 37 of the revised statutes, as amended, is hereby further amended to read as follows:

'Sec. 148. Limitation of school tax rate for unorganized units. ~~When-
ever there are 200 or more persons of all ages resident of an unorganized
unit which was formerly a town or plantation, on April 1 of any year,
in accordance with the sworn returns of the agent for said unorganized
unit duly appointed by the commissioner as provided by section 149~~

I. As soon as practicable after April 1, 1951, and on April 1, annually, thereafter, the total cost of school privileges provided in any unorganized unit under sections 142, 143, 144 and 146, for the school year ending on the ~~following~~ preceding June 30, together with an additional charge of ~~5%~~ 8% of such total cost for administration, but with deductions for the amount of interest on lands reserved, if any, prorated to allow for the allocation provided by subsection I of section 38 of chapter 32, of said unorganized unit for said school year and ~~the amount said unorganized unit if a town would receive from the state as provided by section 99, 201, 202, 203, and 204,~~ any other sums credited to the unorganized territory school fund on behalf of said unit, shall be assessed upon the property of said unorganized unit by the state tax assessor in accordance with the provisions of section 74-A of chapter 14, provided said assessment shall be limited to ~~a school tax rate of 10 mills on the dollar~~ above the average of school tax rates of the municipalities of the state for the preceding school year. It shall be the duty of the commissioner to furnish on or before February 10 of ~~the following~~ each year to the state tax assessor a ~~detailed~~ statement of expenditures for school purposes in each unorganized unit during the preceding school year and deductions on account of interest on lands reserved and ~~state school funds~~ other credits as hereinbefore provided for such unorganized units, for use in making said tax assessment and as a permanent record thereof. ~~The proceeds of this tax shall be credited to the general fund.~~ A copy of said statement shall also be furnished to the commissioner of finance, who shall credit the amount of said tax assessment to the unorganized territory school fund for the fiscal year following the date of such statement.

II. The state tax assessor shall include the amounts of such school tax assessment, as made in accordance with the provisions of section 74-A of chapter 14, in the statements referred to in section 77 of chapter 14. He shall collect such taxes and deposit the receipts with the treasurer of state daily. Payment and collection of such school taxes shall be in accordance with the provisions of sections 77-A to 77-C, inclusive of chapter 14.

III. Such additional amounts as are recommended by the commissioner

as necessary to carry out the provisions of sections 142, 143, 144, 146, 147, 149 and 155 shall be paid out of such sums as may be appropriated by the legislature and credited to the unorganized territory school fund.

IV. Any unexpended balance in the unorganized territory school fund shall be carried forward and shall not lapse into the unappropriated surplus account.'

Effective August 20, 1951

Chapter 261

AN ACT Designating Silicosis as an Occupational Disease.

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

Sec. 1. R. S., c. 26, § 69, amended. Section 69 of chapter 26 of the revised statutes, as enacted by chapter 338 of the public laws of 1945, is hereby amended by adding at the end thereof the following:

'14. Silicosis or its sequelae. 14. Any process involving direct exposure to silicon dioxide particles.'

Sec. 2. R. S., c. 26, §§ 69-A, 69-B, additional. Chapter 26 of the revised statutes is hereby amended by adding thereto 2 new sections to be numbered sections 69-A and 69-B, to read as follows:

'Sec. 69-A. Special provisions relating to silicosis. In the absence of conclusive evidence in favor of the claim, disability or death from silicosis shall be presumed not to be due to the nature of any occupation, unless during the 10 years immediately preceding the date of disability the employee has been exposed to the inhalation of silica dust over a period of not less than 5 years, 2 years of which shall have been in this state, under a contract of employment existing in this state; provided, however, that if the employee shall have been employed by the same employer during the whole of such 5-year period, his right to compensation against such employer shall not be affected by the fact that he had been employed during any part of such period outside of this state. No compensation shall be payable for partial incapacity due to silicosis. The compensation payable in any such case shall be limited to a period not to exceed the average life expectancy of a person of the age and sex of the deceased. In the event of disability from silicosis the employer shall provide reasonable medical treatment not to exceed \$1,000 in amount.