

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

AS PASSED BY THE

## Ninety-fifth 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.

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KENNEBEC JOURNAL  
AUGUSTA, MAINE  
1951

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**PUBLIC LAWS**

OF THE

**STATE OF MAINE**

As Passed by the Ninety-fifth Legislature

**1951**

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transportation by aircraft any fish, game or fur-bearing animals, or parts thereof, unless such fish, game or fur-bearing animals, or parts thereof, shall bear a transportation tag issued by the commissioner of inland fisheries and game, stating that the same may be so transported and bearing the signature of the pilot of the aircraft in which transported. The pilot of any aircraft, other than those of regular transport lines, shall procure from the commissioner a permit to transport any such fish, game, fur-bearing animals or parts thereof by air, together with a supply of tags with directions for using the same and shall tag all fish, game and fur-bearing animals transported by him as directed by the commissioner.

Whoever shall transport, attempt to transport or offer for transportation by aircraft any fish, game or fur-bearing animals shall, as a condition of transporting such fish, game or fur-bearing animals, have such fish, game or fur-bearing animals open to view to the pilot whenever the pilot may request that such fish, game or fur-bearing animals be subject to inspection by him.

Whoever violates any provision of this section shall be punished as set forth in section 119 and in addition thereto all licenses or permits issued by the department may be revoked for 1 year. Any certified aircraft pilot as provided for in chapter 21 of the revised statutes of 1944, who shall be found guilty of transporting fish, game or fur-bearing animals when such fish, game or fur-bearing animals shall not bear a transportation tag as provided for in this section or who shall be found guilty of transporting fish, game or fur-bearing animals illegally in possession, shall have his pilot's certificate suspended by the aeronautics commission for not less than 1 year nor more than 2 years.'

Effective August 20, 1951

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## Chapter 285

AN ACT Relating to Change of Purposes of Domestic Mutual Insurance Companies.

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

Sec. 1. R. S., c. 56, § 25-C, additional. Chapter 56 of the revised statutes is hereby amended by adding thereto a new section to be numbered 25-C, to read as follows:

'Sec. 25-C. Change of purposes. Any mutual insurance company organized for one or more of the purposes set forth in section 25 of this

chapter may at an annual meeting, or at a special meeting the call for which shall give notice of the proposed action, change its purposes by altering or abridging the same or by enlarging the same to include one or more of the purposes set forth in section 25, except subsections III, all of IV, excepting that portion which permits the writing of automobile medical payment coverages, VI, VII, IX, X, XIV, and the 2nd and 4th paragraphs of subsection XV, or make any other change or alteration in its certificate of organization as originally filed or subsequently amended that may be desired, provided such change or alteration is not otherwise specifically provided for and would be proper to insert in an original certificate of organization. A certificate of such changes shall be submitted to the insurance commissioner, who, if it appears that the provisions hereinafter recited have been complied with shall certify that fact and his approval of the certificate by endorsement thereon. Such certificate shall thereupon be filed with the secretary of state together with a fee in the sum of \$20 for the use of the state, whereupon the secretary shall cause the same with his endorsement thereon to be recorded and shall issue a certificate as provided in section 33. Any such mutual company which changes its purposes to include the writing of any class or kind of insurance other than fire, marine or glass shall have a guaranty capital of not less than \$100,000 divided into shares of \$100 each, and no policy shall be issued until  $\frac{1}{4}$  at least of its guaranty capital has been paid in, in cash, and invested as provided in section 63. If a company operating under the provisions of this section fails to comply with a request of the insurance commissioner to increase its paid in guaranty capital it shall cease to write any class or kind of insurance other than fire, marine or glass until such time as the commissioner's request has been complied with. The holders of certificates of such guaranty capital shall not receive dividends in excess of 7% in any 1 year and in no case unless such dividends are properly earned after providing for all expenses, losses, reserves and liabilities then incurred. The holders of certificates of guaranty capital shall have the same voting rights as policyholders. Said guaranty capital may be retired by vote of the policyholders when the surplus funds of the company over and above all liabilities including guaranty capital, shall equal or exceed the amount of such guaranty capital. Provided that the net retention of liability on any one risk written by any company operating under the provisions of this section shall not exceed 5% of its policyholders surplus.'

Sec. 2. R. S., c. 56, § 27, amended. Section 27 of chapter 56 of the revised statutes is hereby amended by adding after the 1st sentence thereof a new sentence, to read as follows:

'The remainder of the guaranty capital shall be paid in and invested as provided in section 63, in such amounts and at such times as in the opinion

of the insurance commissioner is necessary for the adequate protection of the policyholders.'

Effective August 20, 1951

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## Chapter 286

### AN ACT Relating to Dumping of Rubbish in Highways.

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

R. S., c. 124, § 24, repealed and replaced. Section 24 of chapter 124 of the revised statutes is hereby repealed and the following enacted in place thereof:

'Sec. 24. Dumping of rubbish in highways forbidden; penalty. No person, firm or corporation shall throw, place or cause to be placed any waste material, bottles, rubbish or garbage of any nature within the limits of the right of way of any public highway; provided, however, that this section shall not apply to the proper use of the right of way for highway purposes.

For the purposes of this section, where the limits of the highway are not known, they shall be considered as extending 33 feet both sides of the center line of the travelled portion of the highway.

Whoever violates the provision of this section shall be punished by a fine of not more than \$50.'

Effective August 20, 1951

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## Chapter 287

### AN ACT Providing for Safety Equipment for Large Trucks.

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

R. S., c. 19, §§ 112-B, 112-C, additional. Chapter 19 of the revised statutes is hereby amended by adding thereto 2 new sections to be numbered 112-B and 112-C, to read as follows:

'Sec. 112-B. Trucks 15,000 pounds and over to carry flares. No person shall operate or cause to be operated upon the highways of the state any