

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-sixth 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
1953

PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Ninety-sixth Legislature

1953

Chapter 308

AN ACT to Correct Errors and Inconsistencies in the 1944 Revision and the Session Laws of 1945, 1947, 1949 and 1951.

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

Sec. 1. R. S., c. 3, § 39, amended. The last sentence of section 39 of chapter 3 of the revised statutes, as amended by chapter 13 of the public laws of 1945, is hereby further amended to read as follows:

'At any regular session provided for by sections 37, 41, 41-A, 42 and 46, the selectmen shall place on the list of voters the name of every person known by, or proved to them to be so qualified, whether he applies therefor or not.'

Sec. 2. R. S., c. 3, § 44, amended. Section 44 of chapter 3 of the revised statutes is hereby amended to read as follows:

'**Sec. 44. Notice of sessions.** The municipal officers shall order notice of the time and place of all their sessions required or authorized by the provisions of sections 41, 41-A and 42 to be given in the warrant for calling the meeting for such election.'

Sec. 3. R. S., c. 4, § 49, amended. Section 49 of chapter 4 of the revised statutes is hereby amended to read as follows:

'**Sec. 49. Certain sections of chapter 5 made applicable.** So far as necessary for the purposes of sections 15 to 50, inclusive, and where not inconsistent therewith, the following sections of chapter 5 are made applicable to primary elections and all doings, therefor, thereat, or thereafter, and for the purposes thereof, namely: sections 7 and 9; 11 to 15, inclusive; 17 to 23, inclusive; 26 and 27; 54 to 57, inclusive; 60 to ~~64~~ 64-A, inclusive; 68 to 70, inclusive; 91, 93, and 94; 96 to 105, inclusive; 107 and 108; 110 to 114, inclusive; 116; 118 to 121, inclusive; and 123 to 125, inclusive.'

Sec. 4. R. S., c. 5, § 109, amended. Section 109 of chapter 5 of the revised statutes is hereby amended to read as follows:

'**Sec. 109. False statement as to qualifications as a voter of unorganized territory.** Any person who certifies to a false statement relative to qualifications as a voter or as a resident of unorganized territory, for the purpose of securing the privilege of suffrage under the provisions of ~~section~~ sections 64 and 64-A, shall be punished for each offense by a fine of not more than \$100, or by imprisonment for not more than 6 months.'

Sec. 5. R. S., c. 6, § 6-A, amended. The 1st sentence of section 6-A of chapter 6 of the revised statutes, as enacted by section 2 of chapter 146 of the public laws of 1947, and amended by section 9 of chapter 348 of the public laws of 1951, is hereby further amended to read as follows:

'When a written request for an absent voting ballot or physical incapacity voting ballot is received by a clerk of a town or plantation, he shall forthwith mail or deliver the application and ballot to the applicant; provided, however, that if the request is made on the form prescribed by ~~subsection~~ ~~subsections II and III~~ of section 2, then he shall mail or deliver only the ballot.'

Sec. 6. R. S., c. 12, § 4, amended. Section 4 of chapter 12 of the revised statutes is hereby amended to read as follows:

'Sec. 4. ~~Members failing to appear deemed deserters.~~ Every member of the national guard or other authorized state military or naval forces ordered out, and every member of the unorganized militia who volunteers or who is drafted and notified thereof, under the provisions of the preceding section, who does not appear at the time and place designated by his commanding officer, or the chief municipal officer, within 24 hours from such time, or who does not produce from a physician in good standing a sworn certificate of physical disability to so appear, shall be deemed a deserter and dealt with as prescribed in the ~~articles of war of the United States~~ ~~uniform code of military justice of the United States.~~

Sec. 7. R. S., c. 12, § 12, amended. The 7th paragraph of section 12 of chapter 12 of the revised statutes is hereby amended to read as follows:

'He shall keep a just and true account of all expenses necessarily incurred, including pay, transportation and subsistence of officers and enlisted men of the national guard ~~or of any other authorized state military or naval forces~~, and of all military property; and shall render annually to the governor a statement in detail showing the disposition of all clothing, ordnance, arms, ammunition and other military property on hand and issued.'

Sec. 8. R. S., c. 12, § 25, amended. The 1st sentence of section 25 of chapter 12 of the revised statutes is hereby amended to read as follows:

'It shall be the duty of the municipal officers to provide and maintain for each platoon or company, battery, band or detachment of the national guard or other authorized state military or naval forces located within the limits of their respective towns, suitable drill rooms, offices, ~~armory~~ ~~armories~~, stables or place of deposit of all military property, and for the

headquarters of each separate battalion, corps, regiment or brigade established within such municipal limits, suitable headquarters offices; and the suitability for the necessary military purposes of such drill rooms, armories, headquarters offices or stables shall be determined by the state military defense commission.'

Sec. 9. R. S., c. 14, § 62, amended. The 2nd sentence of section 62 of chapter 14 of the revised statutes, as amended, is hereby further amended to read as follows:

'The state tax assessor or such agent as he may designate shall have power to administer all oaths required under the provisions of sections 54 to ~~243~~ 253, inclusive.'

Sec. 10. R. S., c. 14, certain sections amended. Sections 186, 187, 189, 190, 191, 192, 193, 194, 195, 196, 198, 199, 200, 201, 202, 203 and 205 of chapter 14 of the revised statutes, as amended, are hereby further amended by changing the figures "205" wherever they appear in said sections to read '205-A'.

Sec. 11. R. S., c. 14, § 188, amended. The 2nd sentence of the 2nd paragraph of section 188 of chapter 14 of the revised statutes, as enacted by section 3 of chapter 171 of the public laws of 1949, is hereby amended to read as follows:

'Each wholesale dealer's license hereafter issued shall be for the period ending the 31st day of July next succeeding the date of issuance; ~~provided, however, that if this statute shall be effective prior to July 31, 1949, any license issued prior to such effective date shall be for the period ending July 31, 1950.~~

Sec. 12. R. S., c. 14, § 254, repealed. Section 254 of chapter 14 of the revised statutes, as enacted by chapter 2 of the public laws of 1951, is hereby repealed.

Sec. 13. R. S., c. 14-A, § 4, amended. The last sentence of section 4 of chapter 14-A of the revised statutes, as enacted by section 1 of chapter 250 of the public laws of 1951 and amended by section 12 of chapter 213 of the private and special laws of 1951, is hereby repealed and the following enacted in place thereof:

'Whenever any tangible personal property whose sale or use is subject to tax under this chapter is required to be registered for use within this state

by any other chapter than this, no registration shall be granted unless the applicant for registration has paid the sales tax or the use tax thereon.'

Sec. 14. R. S., c. 14-A, § 34, repealed and replaced. Section 34 of chapter 14-A of the revised statutes, as enacted by section 1 of chapter 250 of the public laws of 1951, and as amended by section 10 of the private and special laws of 1951, is hereby repealed and the following enacted in place thereof:

'Sec. 34. Tax is levy on consumer. The liability for, or the incidence of, the tax on tangible personal property provided by this chapter is hereby declared to be a levy on the consumer. The retailer shall add the amount of the tax on such property and may state the amount of the taxes separately from the price of such property on all price display signs, sales or delivery slips, bills and statements which advertise or indicate the price of such property. The provisions of this section shall in no way affect the method of collection of such taxes on such property as now provided by law.'

Sec. 15. R. S., c. 19, § 15, sub-§ I, ¶ D, reallocated. Paragraph D of subsection I of section 15 of chapter 19 of the revised statutes, as enacted by section 2 of chapter 235 of the public laws of 1951, is hereby reallocated to be paragraph E of said subsection I.

Sec. 16. R. S., c. 19, § 16, amended. The last sentence of section 16 of chapter 19 of the revised statutes, which was enacted by chapter 37 of the public laws of 1951, is hereby repealed.

Sec. 17. R. S., c. 19, § 32, repealed and replaced. Section 32 of chapter 19 of the revised statutes, as amended, is hereby repealed and the following enacted in place thereof:

'Sec. 32. Adequate brakes; signalling device; unnecessary noise to be avoided; bell or siren forbidden, exception. Every motor vehicle and every motor driven cycle shall be provided with adequate brakes in good working order and sufficient to control such vehicle at all times when the same is in use, and a suitable and adequate horn or other device for signalling. Every such motor vehicle shall have brakes adjusted so as to stop 2-wheel brake vehicles at a speed of 20 miles per hour within a distance of 45 feet and 4-wheel brake vehicles within 30 feet and, in addition thereto, shall have a hand brake sufficient to hold the vehicle while out of gear on a 10% grade. No signalling device shall be unnecessarily sounded so as to make a harsh, objectionable or unreasonable noise, and no bell or siren shall be installed or used on any motor vehicle except that fire and police department vehicles and ambulances, and vehicles operated by state, city and town fire inspec-

tors and city and town fire chiefs may be so equipped for use only when responding to emergency calls, and such motor vehicles used by deputy sheriffs, and such motor vehicles used by inland fisheries and game wardens as may be designated by the department of inland fisheries and game. All motor vehicles shall be equipped with a muffler of such construction and device as to prevent excessive noise. No person operating a motor vehicle shall at any time open the muffler cut-out, or permit the exhaust to make any unnecessary noise.'

Sec. 18. R. S., c. 19, § 100, amended. The 2nd paragraph of section 100 of chapter 19 of the revised statutes, as amended, is hereby repealed and the following enacted in place thereof:

'No group of axles shall carry a load in pounds in excess of the value given in the following table corresponding to the distance in feet between the extreme axles of the group, measured longitudinally to the nearest foot:

Distance in feet between the extremes of any group of axles	Maximum load in pounds carried on any group of axles
4 to 7, inclusive	32,000
8	32,610
9	33,580
10	34,550
11	35,510
12	36,470
13	37,420
14	38,360
15	39,300
16	40,230
17	41,160
18	42,080
19	42,990
20	43,900
21	44,800
22	45,700
23	46,590
24	47,470
25	48,350
26	49,220
27 and over	50,000

provided, however, that no vehicle shall have a gross weight imparted to any road surface of more than 22,000 pounds on any one axle, and no vehicle having 2 or more axles less than 10 feet apart shall be operated, or caused to be operated, with more than 16,000 pounds imparted to the road surface from either axle; provided further, that no vehicle shall be so operated, or caused to be operated, when the load imparted to the road surface is greater than 600 pounds per inch width of tire (manufacturer's rating); except, however, that 3-axle trucks with brakes on the wheels of all axles hauling forest products may be operated for a gross weight of 48,000 pounds with a distance between the extreme axles of not less than 18 feet and except that in special cases, special permits for the transportation of individual shipments in loads of greater gross weights may be granted by the state highway commission or such appropriate commission or official as is duly authorized elsewhere in this chapter.'

Sec. 19. R. S., c. 20, § 7-A, reallocated. Section 7-A of chapter 20 of the revised statutes, as enacted by chapter 378 of the public laws of 1951, is hereby reallocated to be section 8-J of said chapter 20.

Sec. 20. R. S., c. 20, § 8-C, amended. The last sentence of section 8-C of chapter 20 of the revised statutes, as enacted by section 6 of chapter 321 of the public laws of 1951, is hereby amended to read as follows:

'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 or village corporation in which the street, road or highway to be opened is situated.'

Sec. 21. R. S., c. 20, § 69, amended. The 1st sentence of section 69 of chapter 20 of the revised statutes, as repealed and replaced by chapter 97 of the public laws of 1949, is hereby amended to read as follows:

~~'Such signs~~ The signs referred to in section 68 shall be of such size, design and color as shall be established by an order or orders of the public utilities commission.'

Sec. 22. R. S., c. 20, § 71, amended. Section 71 of chapter 20 of the revised statutes is hereby amended to read as follows:

'Sec. 71. Penalties; jurisdiction. Whoever unlawfully removes, injures or tampers with any warning, caution or directional sign, described in sec-

tions ~~is~~ 7-B, 68 and 69, shall be punished by a fine of not less than \$10, nor more than \$50. Trial justices shall have jurisdiction of any offense committed under sections ~~is~~ 7-B, and 68 to 71, inclusive, of this chapter, and section 123 of chapter 19 when the same is not of a high or aggravated nature.'

Sec. 23. R. S., c. 20, § 104-A, amended. The 3rd sentence of section 104-A of chapter 20 of the revised statutes, as enacted by chapter 338 of the public laws of 1951, is hereby amended to read as follows:

'The members of the said board, other than the governor, the treasurer of state and the commissioner of finance, shall serve without compensation, but shall be allowed actual and necessary expenses for attendance at all meetings, which shall be called by the chairman whenever necessary.'

Sec. 24. R. S., c. 22, certain sections amended. Wherever in sections 226, 227, 229, 229-A as enacted by section 1 of chapter 370 of the public laws of 1947 and amended by section 35 of chapter 349 of the public laws of 1949, 231 and 232, as amended, of chapter 22 of the revised statutes the figures "235" appear, they are hereby amended to read '235-B'.

Sec. 25. R. S., c. 22, § 276, sub-§ V, amended. Subsection V of section 276 of chapter 22 of the revised statutes, as amended, is hereby further amended to read as follows:

'V. Has not sufficient income or other resources to provide a reasonable subsistence compatible with decency and health. ~~Effective July 1, 1952~~ ~~the~~ The first \$50 per month of earned income shall be disregarded;'

Sec. 26. R. S., c. 22, § 281, amended. The 1st sentence of section 281 of chapter 22 of the revised statutes, as amended by section 7 of chapter 44 of the public laws of 1951, is hereby further amended to read as follows:

'Applicants for aid under the provisions of sections 275 to 293, inclusive, shall be examined by an ophthalmologist, a physician skilled in diseases of the eye or ~~effective July 1, 1952~~ an optometrist, approved or designated by the department.'

Sec. 27. R. S., c. 22, § 289, amended. The 1st sentence of section 289 of chapter 22 of the revised statutes, as repealed and replaced by section 12 of chapter 44 of the public laws of 1951, is hereby amended to read as follows:

'Upon the death of a beneficiary, occurring after ~~the effective date of this act~~ August 20, 1951, the state shall have a claim against his estate, enforce-

able in the probate court, for all amounts paid to him under the provisions of sections 275 to 293, inclusive.'

Sec. 28. R. S., c. 22, § 375, amended. Section 375 of chapter 22 of the revised statutes is hereby amended to read as follows:

'Sec. 375. No interment or disinterment, to be made without permit. ~~Except as provided in section 373, no~~ No interment, disinterment or placing in a tomb or vault of a dead human body shall be made without a permit, as aforesaid, from the clerk of the town or city where said person died, or is buried; and no disposition of a dead human body from any tomb or vault shall be made without a permit, as aforesaid, from the clerk of the town or city where said body has been entombed, or placed in such vault. No undertaker or other person shall assist in, assent to or allow any such interment or disinterment to be made ~~except as provided in section 373~~ until such permit has been given as aforesaid; and every undertaker or other person having charge of any burial place as aforesaid, who shall receive such permit, shall preserve and forward the same to the clerk of the town in which burial takes place, within 6 days after the day of burial.'

Sec. 29. R. S., c. 23, § 170, amended. The 2nd sentence of section 170 of chapter 23 of the revised statutes is hereby amended to read as follows:

'It may employ officers, teachers and other employees as it may deem advisable and fix the compensation of the same, subject to the approval of the governor and council subject to the provisions of the personnel law; it may from time to time prescribe the system of education and course of study to be pursued in the school.'

Sec. 30. R. S., c. 25, §§ 9-E - 9-I, reallocated. Sections 9-E to 9-I, inclusive, of chapter 25 of the revised statutes, as enacted by chapter 353 of the public laws of 1951, are hereby reallocated to be sections 9-A to 9-E, inclusive, of said chapter 25.

Sec. 31. R. S., c. 25, § 9-I, amended. Section 9-I of chapter 25 of the revised statutes, as enacted by chapter 353 of the public laws of 1951, is hereby amended to read as follows:

'Sec. 9-I. Privilege. Any information disclosed by either party to a dispute to the panel or any of its members in carrying out the provisions of sections ~~9-E to 9-I~~ 9-A to 9-E, inclusive, shall be privileged.'

Sec. 32. R. S., c. 25, § 22-A, repealed. Section 22-A of chapter 25 of the revised statutes, as enacted by chapter 180 of the public laws of 1947, is hereby repealed.

Sec. 33. R. S., c. 25-A, reallocated. Chapter 25-A of the revised statutes, as enacted by chapter 387 of the public laws of 1951, is hereby reallocated to be chapter 23-A of the revised statutes.

Sec. 34. R. S., c. 25-A, § 10, repealed. Section 10 of chapter 25-A of the revised statutes, as enacted by chapter 387 of the public laws of 1951, is hereby repealed.

Sec. 35. R. S., c. 25-A, §§ 11, 12, 13, 14, reallocated. Sections 11, 12, 13 and 14 of chapter 25-A of the revised statutes, as enacted by chapter 387 of the public laws of 1951, are hereby reallocated to be sections 10, 11, 12 and 13, respectively, of said chapter 25-A.

Sec. 36. R. S., c. 26, § 57, amended. Section 57 of chapter 26 of the revised statutes, as enacted by chapter 338 of the public laws of 1945, is hereby amended to read as follows:

'Sec. 57. Title. Sections 57 to ~~69~~ 69-B, inclusive, shall be known and may be referred to as "the occupational disease law"; the phrase "this law" as used in said sections refers thereto.'

Sec. 37. R. S., c. 26, § 58, amended. Section 58 of chapter 26 of the revised statutes, as enacted by chapter 338 of the public laws of 1945, is hereby amended to read as follows:

'Sec. 58. Application. Except as otherwise specifically provided herein, incapacity to work or death of an employee arising out of and in the course of the employment, and resulting from an occupational disease as herein-after defined, shall be treated as the happening of a personal injury by accident arising out of and in the course of the employment, within the meaning of the Workmen's Compensation Act, and all the provisions of that act shall apply to such occupational diseases; provided, however, that this law shall apply only to cases in which the last exposure to an occupational disease in an occupation subject to the hazards of such disease occurred in this state and subsequent to ~~the date when this law takes effect~~ January 1, 1946.'

Sec. 38. R. S., c. 26, § 60, amended. Section 60 of chapter 26 of the revised statutes, as enacted by chapter 338 of the public laws of 1945, is hereby amended to read as follows:

'Sec. 60. False reports. No compensation shall be payable for an occupational disease if the employee who ~~is employed at the effective date of this law~~ was employed on January 1, 1946, or who, at the time of entering

into the employment of the employer by whom the compensation would otherwise be payable, falsely represents himself in writing as not having previously been disabled, laid off, or compensated in damages or otherwise, because of such disease.'

Sec. 39. R. S., c. 26, § 65, amended. The first 3 sentences of section 65 of chapter 26 of the revised statutes, as enacted by chapter 338 of the public laws of 1945, are hereby amended to read as follows:

'Compensation for partial or total incapacity or death from occupational disease shall be payable only in the following manner and amounts: if such incapacity or death occurs ~~during the 1st calendar month in which this law becomes effective~~ during the calendar month of January, 1946, total compensation shall not exceed \$500; ~~if during the 2nd calendar month, not exceeding \$550.~~ Thereafter the total compensation payable for such incapacity or death shall increase at the rate of \$50 each calendar month. Such progressive increase in limits shall continue until the limits fixed in the Workmen's Compensation Act ~~is~~ are reached.'

Sec. 40. R. S., c. 26, § 69-B, amended. Section 69-B of chapter 26 of the revised statutes, as enacted by section 2 of chapter 261 of the public laws of 1951, is hereby repealed and the following enacted in place thereof:

'Sec. 69-B. New occupational diseases not retroactive. When any new occupational disease has been added to the list of compensable occupational diseases after January 1, 1946, the date the law making such addition first became effective shall be used in place of January 1, 1946, and said law, including sections 58, 60 and 65 shall apply thereto as of the date the law making such addition first became effective.'

Sec. 41. R. S., c. 26, § 70, repealed. Section 70 of chapter 26 of the revised statutes, as enacted by chapter 338 of the public laws of 1945, is hereby repealed.

Sec. 42. R. S., c. 27, § 3, amended. Section 3 of chapter 27 of the revised statutes, as amended, is hereby repealed and the following enacted in place thereof:

'Sec. 3. Uniform rules, regulations; standards of purity. The commissioner shall make uniform rules and regulations for carrying out the provisions of sections 3 to 8, inclusive, 34 to 40, inclusive, 124 to 127, inclusive, 129, 157 to 187, inclusive, 196 to 211, inclusive, and 213 to 224, inclusive. He may also fix standards of purity, quality or strength when such standards are not specified or fixed by law, and shall publish them together with

such other information concerning articles of commercial feeding stuff, commercial fertilizer, drug or food as he may deem to be of public benefit.'

Sec. 43. R. S., c. 27, § 4, amended. Section 4 of chapter 27 of the revised statutes, as amended, is hereby repealed and the following enacted in place thereof:

'Sec. 4. Hearing in case of violation. When the commissioner becomes cognizant of the violation of any provision of sections 3 to 8, inclusive, 34 to 40, inclusive, 124 to 127, inclusive, 129, 157 to 187-S, inclusive, 196 to 211, inclusive, and 213 to 224, inclusive, he shall cause notice of such fact, stating the date, hour and place of hearing, with a copy of the findings, or, in case of a packer of food, a copy of the charge to be preferred, to be given to the person concerned and the person from whom the sample was obtained, and the person whose name appears upon the label, (if a resident of the state), who shall be given an opportunity to be heard under such rules and regulations as may be prescribed by the said commissioner. When the hearing relates to the packing of apples, it shall be held in the county where the inspection was made.'

Sec. 44. R. S., c. 27, § 16, amended. The last paragraph of section 16 of chapter 27 of the revised statutes is hereby amended to read as follows:

'Provided, however, that the conducting of pari mutuel betting by any such society under license of the state harness racing commission, in accordance with the provisions of sections 1 to 22, inclusive, of chapter 77, shall not be deemed cause for withholding such society's share of the stipend.'

Sec. 45. R. S., c. 27, §§ 31-A - 31-F, reallocated. Sections 31-A to 31-F, inclusive, of chapter 27 of the revised statutes, as enacted by chapter 315 of the public laws of 1949, are hereby reallocated to be sections 61-A to 61-F, inclusive, of said chapter 27.

Sec. 46. R. S., c. 27, § 31-D, amended. Section 31-D of chapter 27 of the revised statutes, as enacted by chapter 315 of the public laws of 1949, is hereby amended to read as follows:

'Sec. 31-D. Rules and regulations. The commissioner of agriculture shall make rules and regulations necessary to protect the health of animals going through such sales rings which shall have the power of law as outlined under section 55 54.'

Sec. 47. R. S., c. 27, § 64, amended. Section 64 of chapter 27 of the revised statutes, as amended by chapter 138 of the public laws of 1945, is hereby further amended to read as follows:

'Sec. 64. Stables disinfected. The commissioner shall thoroughly disinfect all stables and premises where condemned animals are found, or cause the same to be done by a competent agent in the employ of such commissioner, and the expense incurred on account of such disinfectant shall be paid by the owner or person in control of such stable and premises; provided, however, that the commissioner may pay $\frac{1}{2}$ of the expense from the appropriation allowed for the use of the division of animal husbandry industry.'

Sec. 48. R. S., c. 27, § 129, amended. Section 129 of chapter 27 of the revised statutes is hereby amended to read as follows:

'Sec. 129. Privileges denied to those in arrears. No person who is in arrears as to payment for past services of the department under the provisions of sections 124, 125 ~~126~~ and 127 shall be entitled to further services until payment of all such arrears shall have been made.'

Sec. 49. R. S., c. 27, § 157, repealed and replaced. Section 157 of chapter 27 of the revised statutes, as amended, is hereby repealed and the following enacted in place thereof:

'Sec. 157. Sale of certain adulterated articles. No person shall manufacture, sell, distribute, transport, offer or expose for sale, distribution or transportation, any article of commercial feeding stuff, commercial fertilizer, drug or food which is adulterated or misbranded within the meaning of this chapter.'

Sec. 50. R. S., c. 27, § 168, sub-§§ II, III, IV, V, VI, VI-A, renumbered. Subsections II, III, IV, V and VI of section 168 of chapter 27 of the revised statutes, as amended, and subsection VI-A, as enacted by chapter 220 of the public laws of 1951, are hereby renumbered to be subsections I, II, III, IV, V and VI of said section 168.

Sec. 51. R. S., c. 27, § 169, sub-§ III, ¶ C, amended. Paragraph C of subsection III of section 169 of chapter 27 of the revised statutes is hereby amended to read as follows:

'C. If any brand is manufactured, transported, distributed, sold, offered or exposed for sale, distribution or transportation upon which the registration fee required by section ~~161~~ 162 has not been paid.'

Sec. 52. R. S., c. 27, § 169, sub-§§ II, III, IV, V, renumbered. Subsections II, III, IV and V of section 169 of chapter 27 of the revised statutes are hereby renumbered to be subsections I, II, III and IV of said section 169.

Sec. 53. R. S., c. 27, § 180, repealed and replaced. Section 180 of chapter 27 of the revised statutes, as amended, is hereby repealed and the following enacted in place thereof :

'Sec. 180. Annual analysis; results published. The director of the Maine Agricultural Experiment Station shall annually analyze, or cause to be analyzed, samples of articles of agricultural or vegetable seed, commercial feeding stuff, commercial fertilizer, drugs, foods and economic poisons at such time and to such extent as the commissioner may determine. Said commissioner, in person or by deputy, shall have free access, ingress and egress at all reasonable hours to any place or any building wherein articles of agricultural or vegetable seed, commercial feeding stuff, commercial fertilizer, drugs, food or economic poisons are manufactured, stored, transported, sold, offered or exposed for sale. He may also, in person or by deputy, open any case, package or other container, and may, upon tendering the market price, take samples for analysis. The results of all analyses of agricultural or vegetable seed, commercial feeding stuff, commercial fertilizer, drugs, food and economic poisons made by said director shall be published by him in the bulletins or reports of the experiment station, together with the names of the persons from whom the samples were obtained, the names of the manufacturers thereof, and such additional information as to him may seem advisable.'

Sec. 54. R. S., c. 27, § 185, repealed and replaced. Section 185 of chapter 27 of the revised statutes, as amended, is hereby repealed and the following enacted in place thereof :

'Sec. 185. Certificate, presumptive evidence. Every certificate duly signed and acknowledged by the director of the Maine Agricultural Experiment Station, relating to the collection and analysis of any sample of agricultural or vegetable seed, commercial feeding stuff, commercial fertilizer, drug, food or economic poison, shall be presumptive evidence of the facts therein stated.'

Sec. 55. R. S., c. 27, § 186, repealed and replaced. Section 186 of chapter 27 of the revised statutes, as amended, is hereby repealed and the following enacted in place thereof :

'Sec. 186. Adulteration or misbranding. No person shall adulterate or misbrand, within the meaning of this chapter, any commercial feeding stuff, commercial fertilizer, drug, food or vinegar, or manufacture, sell, distribute, transport, offer or expose for sale, distribution or transportation any article of commercial feeding stuff, commercial fertilizer, drug, food or vinegar in violation of any of the provisions of this chapter. Whoever vio-

lates said provisions shall be punished by a fine of not more than \$100 for the first offense, and by a fine of not more than \$200 for each subsequent offense.'

Sec. 56. R. S., c. 27, § 244, amended. The last sentence of section 244 of chapter 27 of the revised statutes is hereby amended to read as follows:

'He may appoint a deputy who shall have the authority conferred by the ~~2~~ 3 following sections, and may appoint inspectors with authority to perform any part or all of the duties provided in sections 245 and 246.'

Sec. 57. R. S., c. 32, § 20, amended. The last paragraph of section 20 of chapter 32 of the revised statutes, as enacted by chapter 233 of the public laws of 1951, is hereby amended to read as follows:

'The provisions of this section as they relate to Oxford county shall be limited to such acquisition as shall have been actually acquired prior to ~~the effective date of this act~~ April 27, 1951 and no further land in Oxford county shall be acquired after such date.'

Sec. 58. R. S., c. 32, § 38, amended. The last 3 sentences of section 38 of chapter 32 of the revised statutes, as amended, are hereby repealed and the following enacted in place thereof:

'Upon the first fund to be known as the unorganized townships fund, the state shall allow interest annually as earned. The income from said fund shall be allocated as follows:

I. \$5,000 allocated annually for the use of the forest commissioner in managing and improving the growth of public reserved lots; and

II. the balance then remaining shall be added to the 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.

Upon the second fund to be known as the organized townships fund, the state shall allow interest annually as earned, the income from said fund to be dealt with as provided in the following section.'

Sec. 59. R. S., c. 36, § 13, amended. Section 13 of chapter 36 of the revised statutes, as enacted by section 3 of chapter 298 of the public laws of 1951, is hereby amended to read as follows:

'Sec. 13. Discovery of a deposit. ~~After 30 days from the effective date of sections 12 to 14, inclusive, and within~~ Within 30 days after discovery of any deposits, the prospector shall give written notice thereof to the Maine mining bureau, describing particularly the nature and situation of the deposit, and the date of discovery, and shall also record the discovery in the manner provided in section 5 for recording claims in the registry of deeds in the county where the discovery was made. After giving such notices and making the recording the prospector shall notify the owner of the land.'

Sec. 60. R. S., c. 37, §§ 117, 118, repealed. Sections 117 and 118 of chapter 37 of the revised statutes, as repealed by section 11 of chapter 213 of the private and special laws of 1951, are hereby repealed.

Sec. 61. P. & S. L., 1951, c. 213, § 11, repealed. Section 11 of chapter 213 of the private and special laws of 1951 is hereby repealed.

Sec. 62. R. S., c. 37, § 148, sub-§ I, amended. The 1st sentence of subsection I of section 148 of chapter 37 of the revised statutes, as amended by section 3 of chapter 260 of the public laws of 1951, is hereby further amended to read as follows:

'I. ~~As soon as practicable after April 1, 1951, and on~~ 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 preceding June 30, together with an additional charge of 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 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 the average of school tax rates of the municipalities of the state for the preceding school year.'

Sec. 63. R. S., c. 37, § 148-C, amended. The 1st sentence of section 148-C of chapter 37 of the revised statutes, as enacted by section 3 of chapter 410 of the public laws of 1951, is hereby amended to read as follows:

'Expenditures for capital outlay made during any school year ending June 30 after ~~the effective date of this act~~ August 20, 1951 in any unorganized unit, as defined in section 142, shall be assessed upon the property of said unorganized unit by the state tax assessor and added to the state tax for the year in which it is assessed, provided that said assessment shall not exceed 1% of the state valuation of said unorganized unit in any one year; provided further, that should such assessment fail in any one year to equal the amount expended, any balance remaining shall be assessed each succeeding year upon the property of said unorganized unit in amounts that shall not exceed in any one year 1% of the valuation of the said unorganized unit, until the whole expenditure has been returned to the fund.'

Sec. 64. R. S., c. 37, § 148-E, amended. Section 148-E of chapter 37 of the revised statutes, as enacted by section 3 of chapter 410 of the public laws of 1951, is hereby amended to read as follows:

'Sec. 148-E. Assessment basis; validity. All assessments made under the provisions of ~~this chapter~~ sections 148-A to 148-I, inclusive, shall be based on the valuation of each unorganized unit as determined for the year in which the assessment is made by the state board of equalization, and set forth in the statement filed by it as provided in section 65 of chapter 14. Any assessments made shall be valid, and all remedies heretofore or hereafter provided for the collection of state taxes shall apply.'

Sec. 65. R. S., c. 37, § 148-G, amended. Section 148-G of chapter 37 of the revised statutes, as enacted by section 3 of chapter 410 of the public laws of 1951, is hereby amended to read as follows:

'Sec. 148-G. Expenditures for 2 or more units. When 2 or more unorganized units share the advantages of a capital expenditure made under the provisions of ~~this chapter~~ sections 148-A to 148-I, inclusive, the commissioner of education shall determine as equitably as possible the amount of such expenditures to be assessed on the property of the respective units as provided in section 148-C.'

Sec. 66. R. S., c. 37, § 148-H, amended. Section 148-H of chapter 37 of the revised statutes, as enacted by section 3 of chapter 410 of the public laws of 1951, is hereby amended to read as follows:

'Sec. 148-H. Transfer of property or equipment. Whenever any property or equipment is purchased under the provisions of ~~the preceding~~ sections 148-A to 148-G, inclusive, a depreciation control of the asset shall be kept and when it is transferred from one unorganized unit to another, a credit for remaining use value, as determined by the commissioner, shall

be given to the unorganized unit from which the property is transferred and a corresponding amount shall be charged in accordance with the provisions of section 148-C to the unorganized unit receiving the property.'

Sec. 67. R. S., c. 37, § 148-I, amended. Section 148-I of chapter 37 of the revised statutes, as enacted by section 3 of chapter 410 of the public laws of 1951, is hereby amended to read as follows:

'**Sec. 148-I. Assessment after organization of units.** Whenever any unorganized unit, in which capital expenditures have been made under the provisions of ~~this chapter~~ sections 148-A to 148-I, inclusive, becomes organized as a town or plantation, the state tax assessor shall add annually to the state tax of such town or plantation the amount such town or plantation would have paid in accordance with the provisions of section 148-C had it not become organized.'

Sec. 68. R. S., c. 37, § 152, amended. The 1st sentence of section 152 of chapter 37 of the revised statutes, as amended, is hereby further amended to read as follows:

'Whenever any unorganized unit becomes organized as a town or plantation, such town or plantation shall, within 5 years of the date of said organization, through the commissioner, pay to the treasurer of state for each school building within its limits erected or remodeled prior to ~~the effective date of this act~~ August 20, 1951, a sum to be determined by the commissioner and approved by the state board of education, which sum shall be credited to the general fund of the state.'

Sec. 69. R. S., c. 37, § 185, amended. The 1st paragraph of section 185 of chapter 37 of the revised statutes, as repealed and replaced by section 76 of chapter 349 of the public laws of 1949, is hereby amended to read as follows:

'The Farmington state teachers' college at Farmington, the Gorham state teachers' college at Gorham, the Washington state ~~normal school teachers'~~ college at Machias, the Madawaska training school at Fort Kent and the Aroostook state ~~normal school teachers'~~ college at Presque Isle shall be conducted for the purposes and upon the principles herein set forth.'

Sec. 70. R. S., c. 37, § 188, amended. Section 188 of chapter 37 of the revised statutes, as amended by section 41 of chapter 378 of the public laws of 1945 and by section 3 of chapter 223 of the private and special laws of 1951, is hereby repealed and the following enacted in place thereof:

'Sec. 188. Applicants for admission, qualifications; tuition. Applicants for admission to state normal schools and teachers' colleges shall signify their intention to become teachers. The state board of education shall charge \$200 for tuition to non-residents of the state, and \$100 for tuition to residents of the state. It may permit not exceeding 10% of the enrolment of residents to pay their tuition charges at such future dates as it may determine.'

Sec. 71. P. & S. L., 1951, c. 223, § 3, repealed. Section 3 of chapter 223 of the private and special laws of 1951 is hereby repealed.

Sec. 72. R. S., c. 37, § 201, repealed and replaced. Section 201 of chapter 37 of the revised statutes, as amended, and as repealed and replaced by section 1 of chapter 386 of the public laws of 1951, is hereby repealed and the following enacted in place thereof:

'Sec. 201. General-purpose educational aid; minimum salaries for teachers; reimbursement for professional credits. On the basis of information available in the office of the commissioner of education on September 1st for the 2 years next preceding the biennial convening of the legislature, as provided in returns of educational statistics required by him, the commissioner shall apportion subsidies to the cities, towns, plantations and community school districts of the state according to the following plan:

The several cities, towns and plantations shall be divided into 9 classifications according to their valuations per resident school child being educated at public expense. The valuation shall be as determined by the board of equalization in the statement filed by it, as provided in section 65 of chapter 14 and effective on September 1st, and the number of children shall be the average of the last 2 enrollment reports of pupils being educated at public expense on April 1st annually.

For each classification the subsidy allocation shall be the same for each of the 2 years of the biennium and shall be a percentage of the average educational costs of the municipality for the preceding 2 years, excluding costs of capital outlay, rent, debt service, repairs, and certain equipment, and deducting incidental receipts. The cost of vocational education shall be the average of local appropriations for the 2-year period designated in the 1st paragraph of this section.

The range of classifications and the percentage allocations shall be as follows:

Class	State valuation per resident pupil		Percentage of state support of educational operating expenditures
	1	Not over	\$1,500
2	\$1,501	\$2,250	55%
3	\$2,251	\$3,000	45%
4	\$3,001	\$3,750	35%
5	\$3,751	\$4,500	30% of first \$20,000 25% of the balance
6	\$4,501	\$5,500	25% of first \$20,000 20% of the balance
7	\$5,501	\$6,500	25% of first \$20,000 18% of the balance
8	\$6,501	\$7,500	25% of first \$20,000 16% of the balance
9	\$7,501 and over		25% of first \$20,000 14% of the balance

That portion of the allocation made under this section to any city, town or plantation which is a member of a community school district, because of its share in the allowable operating costs of the community school, shall be paid to the community school district and shall be credited to the municipality's share of costs for the purposes specified in this section.

Each city, town, plantation and community school district shall employ only certified teachers and shall pay such teachers a minimum salary of \$1,500 for a certified teacher; \$1,600 for a teacher who has completed 3 years of professional study beyond high school; \$1,700 for a teacher who has completed 4 years of professional study beyond high school; and \$1,800 for a teacher who holds an earned master's degree. Any city, town, plantation or community school district which fails to comply with any of these conditions shall have deducted from its apportionment a sum equal to twice that by which it is delinquent.

After providing an opportunity for a hearing, the state board of education, on recommendation of the commissioner, may adjust the state subsidy to a municipality or community school district when, in the opinion of the board, the expenditures for education in such municipality or district show evidence of manipulation to gain an unfair advantage or are adjudged excessive.

Whenever any certified teacher completes, within any 2-year period, 6 credit hours of additional professional work approved by the commissioner

and receives supplementary financial assistance in an amount not less than \$50 from a municipality or community school district, the municipality or community school district shall receive reimbursement of \$50 from the state for such expenditure at the next distribution of state funds; provided further, that the renewal of each teaching certificate shall be conditional on the completion of at least 6 semester hours of professional study within each period of 5 years, excepting that the renewal of standard grade certificates held by teachers possessing earned masters' degrees shall be conditional on the completion of at least 4 semester hours of professional study within each period of 5 years, and, provided further, that the commissioner may approve professional improvement equivalents, in lieu of such prescribed study, for the renewal of standard grade certificates held by teachers possessing earned masters' degrees.

If the employment of teachers under permits or other special licenses is authorized by the state board of education, the said board shall have the authority to prescribe minimum salaries and other regulations for this class of teachers.

It is the intent of the legislature that the formula contained in this section shall serve as a guide for the allocation of such appropriations as may be made by successive legislatures with respect to this school subsidy payment, and it is not the intent of the legislature to guarantee to the several cities and towns any more or any less than the sum total so appropriated.

Subject to the foregoing provisions of this section, the state board of education may make such reasonable regulations as are deemed necessary for carrying out the purposes and provisions of this section.'

Sec. 73. R. S. c. 38, § 18, amended. The 1st paragraph of section 18 of chapter 38 of the revised statutes is hereby amended to read as follows:

"The printed decisions of the supreme judicial court, commonly called Maine reports, which are purchased by the state in accordance with the provisions of section 2 of chapter 92, shall be distributed by the librarian of the Maine state library as follows: copies shall be sent to each free public library, county law library, college library, and town or city in which there is no free public library, unless a library or town or city states in writing to the librarian that it does not wish to receive the same; copies shall also be sent to the Library of Congress, to each state or territorial library in the United States and to the Supreme Court Library of Canada; 1 copy shall also be sent to each county attorney, judge of probate, register of probate, clerk of courts, municipal court, ex-governor, councilor, senator, and repre-

sentative from Maine in the congress of the United States, judge of the supreme judicial court, judge of the superior court, ex-judge of the supreme judicial court or superior court; and 1 copy shall be sent to the judge of the United States District Court for Maine, United States District Attorney for Maine, clerk of the United States District Court for Maine, judge of the United States ~~Circuit~~ Court of Appeals for this state, Maine Historical Society and Maine State Bar Association.'

Sec. 74. R. S., c. 38, § 19, amended. The 1st paragraph of section 19 of chapter 38 of the revised statutes, as amended, is hereby further amended to read as follows:

'All future compilations or revisions of the statutes and the laws passed by each legislature, which are printed and bound by the state, shall be distributed by the librarian of the Maine state library as follows: copies shall be sent to each free public library, county law library, college library and municipality, unless a library or municipality states in writing to the librarian that it does not wish to receive the same; copies shall also be sent to the Library of Congress, and, on an exchange basis, to each state or territorial library in the United States, and to the Supreme Court Library of Canada; 1 copy shall be sent to each county attorney, clerk of courts, county commissioners' court, sheriff, county treasurer, register of deeds, register of probate, judge of probate, judge of the supreme judicial court, judge of the superior court, ex-judge of the supreme judicial court or superior court, municipal court, trial justice, ex-governor, councilor, senator and representative from Maine in the congress of the United States; 1 copy shall be sent to the governor of the state, the reporter of decisions, judge of the United States District Court for Maine, United States District Attorney for Maine, clerk of the United States District Court for Maine, judge of the United States ~~Circuit~~ Court of Appeals for this state, Maine Historical Society and Maine State Bar Association. One copy of the laws passed by each session of the legislature shall be sent to each member and officer thereof.'

Sec. 75. R. S., c. 38, § 25, amended. The last sentence of the 1st paragraph of section 25 of chapter 38 of the revised statutes is hereby amended to read as follows:

'Upon certification the state librarian shall approve for payment a sum based on the following enumerated percentages:

To municipalities appropriating and ~~expanding~~ expending \$475 or less, 10%;

To municipalities appropriating and expending \$476 to \$1,900, 7% ;

To municipalities appropriating and expending \$1,901 to \$5,000, 4%.'

Sec. 76. R. S., c. 42, § 78-B, reallocated. Section 78-B of chapter 42 of the revised statutes, as enacted by chapter 372 of the public laws of 1951, is hereby reallocated to be section 78-A of said chapter 42.

Sec. 77. R. S., c. 56, § 113-C, sub-§ 11. Subsection 11 of section 113-C of chapter 56 of the revised statutes, as enacted by chapter 421 of the public laws of 1949, is hereby amended to read as follows :

'II. Notwithstanding the provision of paragraph B of subsection VII of section ~~130~~ 133, such section shall not prohibit different rates charged, or benefits payable, or different underwriting procedure for individuals insured under a franchise plan, provided rates charged, benefits payable or underwriting procedure used do not discriminate between franchise plans.'

Sec. 78. R. S., c. 56, § 141-B, sub-§ I, amended. Subsection I of section 141-B of chapter 56 of the revised statutes, as enacted by chapter 316 of the public laws of 1949, is hereby amended to read as follows :

'I. that paragraph F to J, inclusive, of subsection III shall not apply to policies issued to a creditor to insure debtors of such creditor ;'

Sec. 79. R. S., c. 56, § 251-A, reallocated. Section 251-A of chapter 56 of the revised statutes, as enacted by section 2 of chapter 192 of the public laws of 1951, is hereby reallocated to be section 252-A of said chapter 56.

Sec. 80. R. S., c. 56, §§ 252-A - 252-P, reallocated. Sections 252-A to 252-P, inclusive, of chapter 56 of the revised statutes, as enacted by chapter 162 of the public laws of 1947, are hereby reallocated to be sections 252-B to 252-Q, inclusive, of said chapter 56.

Sec. 81. R. S., c. 56, § 301, sub-§§ I, II, amended. Subsections I and II of section 301 of chapter 56 of the revised statutes, as enacted by chapter 274 of the public laws of 1947, are hereby amended to read as follows :

'I. Every group, association or other organization of insurers which engages in joint underwriting or joint reinsurance, shall be subject to regulation with respect thereto as herein provided, subject, however, with respect to joint underwriting, to all other provisions of sections 291 to

~~309~~ 307, inclusive, and, with respect to joint reinsurance, to sections 302 and, 306 to ~~309~~, inclusive and 307.

II. If, after a hearing, the commissioner finds that any activity or practice of any such group, association or other organization is unfair or unreasonable or otherwise inconsistent with the provisions of sections 291 to ~~309~~ 307, inclusive, he may issue a written order specifying in what respects such activity or practice is unfair or unreasonable or otherwise inconsistent with the provisions of said sections, and requiring the discontinuance of such activity or practice.'

Sec. 82. R. S., c. 57, § 40, repealed and replaced. Section 40 of chapter 57 of the revised statutes, as repealed and replaced, and amended, is hereby repealed and the following enacted in place thereof:

'Sec. 40. Licenses for consumption sale. Licenses for the sale of spirituous and vinous liquor to be consumed on the premises where sold may be issued to clubs and to bona fide hotels, restaurants, steamboats and railroad dining cars on payment of the fees herein provided; subject, however, to the condition that the application therefor be approved by the municipal officers of the town or city in which such intended licensee, if operating a club, restaurant or hotel, is operating the same, and if said hotel, restaurant or club is located in an unorganized place said application shall be approved by the county commissioners of the county, within which such unorganized place is located, and subject to the further condition that licenses issued to restaurants shall be limited to malt liquor or wine. No licensee for the sale of liquor to be consumed on the premises where sold shall by himself, clerk, servant or agent, sell, give, furnish or deliver any liquor to be consumed elsewhere than upon the licensed premises, except, subject to the provisions of law and the rules and regulations of the commission, hotel licensees may sell liquor in the original packages to bona fide registered room guests.'

Sec. 83. R. S., c. 58, § 4, amended. Section 4 of chapter 58 of the revised statutes is hereby amended by repealing the next to last paragraph thereof.

Sec. 84. R. S., c. 60, § 3, sub-§ VII, amended. The 1st sentence of subsection VII of section 3 of chapter 60 of the revised statutes, as repealed and replaced by section 3 of chapter 384 of the public laws of 1947, is hereby amended to read as follows:

'All employees who formerly were subject to the provisions of sections ~~212 to 220~~, inclusive, of chapter ~~37~~ subsections IX, X and XI of section

6 shall be entitled to out-of-state service provided that upon making application for retirement they will have had service in Maine totalling at least 20 years of which the last 15 years of service must be in the state of Maine.'

Sec. 85. R. S., c. 60, § 6, sub-§ VIII, amended. Subsection VIII of section 6 of chapter 60 of the revised statutes, as repealed and replaced by section 3 of chapter 384 of the public laws of 1947, is hereby amended to read as follows:

'VIII. Anything to the contrary notwithstanding, the service retirement allowance for any employee who was subject to the provisions of ~~sections 212 to 214, inclusive, of chapter 37~~ subsections IX, X and XI of section 6 shall at least be equal to the provisions set forth in such sections.'

Sec. 86. R. S., c. 60, § 6-E, amended. Section 6-E of chapter 60 of the revised statutes, as enacted by section 4 of chapter 407 of the public laws of 1951, is hereby amended to read as follows:

'Sec. 6-E. Application. The increases in pensions hereinbefore authorized shall apply to all teachers who have heretofore or shall hereafter retire under the provisions of ~~sections 6-B, 6-C and 6-D of chapter 60 of the revised statutes~~ subsections IX, X and XI of section 6, formerly sections 212, 213 and 214 of chapter 37 of the revised statutes.'

Sec. 87. P. L., 1949, c. 445, § 2, repealed. Section 2 of chapter 445 of the public laws of 1949, as repealed and replaced by chapter 402 of the public laws of 1951, is hereby repealed.

Sec. 88. R. S., c. 60, § 17, repealed. Section 17 of chapter 60 of the revised statutes, as amended, is hereby repealed.

Sec. 89. R. S., c. 79, § 20, amended. Section 20 of chapter 79 of the revised statutes is hereby amended by repealing the last sentence thereof.

Sec. 90. R. S., c. 79, § 25, amended. Section 25 of chapter 79 of the revised statutes is hereby amended by adding at the end thereof a new paragraph to read as follows:

'The provisions of this section do not apply to sections 20, 21, 22 and 23.'

Sec. 91. R. S., c. 79, § 135, amended. Section 135 of chapter 79 of the revised statutes is hereby amended to read as follows:

'Sec. 135. Annual report to attorney general; penalty for neglect. The county attorney shall, annually, by the 20th day of November, make such a report to the attorney general of the business done in his office during the year ending on the 1st day of said November as is required by section 14 of chapter 17, and failing to do so, he forfeits $\frac{1}{2}$ of his salary for the current quarter, to be deducted by the ~~governor and council in drawing his salary~~ ~~warrant~~ attorney general, unless ~~they are~~ he is satisfied that there was reasonable cause therefor.'

Sec. 92. R. S., c. 79, § 136, amended. Section 136 of chapter 79 of the revised statutes is hereby amended to read as follows:

'Sec. 136. Appointment of temporary substitute. When the county attorney does not attend a criminal session or the office is vacant, the court may appoint an attorney to perform his duties during the session and allow him a reasonable compensation to be paid from the county treasury, and the justice shall notify the ~~treasurer of state~~ attorney general who shall deduct the same from the salary of such county attorney and forward the same to such county treasurer.'

Sec. 93. R. S., c. 80, § 27, amended. Section 27 of chapter 80 of the revised statutes is hereby amended by repealing the words: "For recording sheep marks, 25c."

Sec. 94. R. S., c. 80, § 83, sub-§ XX, reallocated. Subsection XX of section 83 of chapter 80 of the revised statutes, as enacted by chapter 236 of the public laws of 1951, is hereby reallocated to be subsection XXI of said section 83.

Sec. 95. R. S., c. 80, § 91, amended. The 1st sentence of section 91 of chapter 80 of the revised statutes, as amended, is hereby repealed and the following enacted in place thereof:

'Cities and towns may raise money to procure the writing and publication of their histories, to assist a local historical society, to celebrate any centennial or other anniversary of the settlement or incorporation of such city or town, and to publish the proceedings of any such celebration; to defray the expenses of the observance of memorial day, armistice day, or any other day set apart for patriotic commemoration, firemen's memorial Sunday, and of old home week; to hire a public nurse; to hire a dental hygienist; to subsidize a physician to induce him or her to settle in said town; to aid in the maintenance of a hospital serving the inhabitants of the town; to provide for a local program or one based on coordination with the state having to do with the rehabilitation and employment of persons honorably

discharged from the armed forces of the United States in World War II or the Korean Campaign; to provide for physical fitness programs in the schools; to erect suitable monuments or memorials in memory of the soldiers and sailors who sacrificed their lives in defense of their country in the war of 1861, or in World Wars I and II or the Korean Campaign, and a reasonable sum to secure, grade and care for a lot appropriate for such a monument or memorial.'

Sec. 96. R. S., c. 81, § 13, sub-§ I, repealed and replaced. Subsection I of section 13 of chapter 81 of the revised statutes, as repealed and replaced, and amended, is hereby repealed and the following enacted in place thereof:

'I. All personal property employed in trade, in the erection of buildings or vessels, or in the mechanic arts shall be taxed in the town where so employed on the 1st day of each April; provided that the owner, his servant, subcontractor or agent so employing it occupies any store, storehouse, shop, mill, wharf, landing place or shipyard therein for the purpose of such employment, except as hereinafter otherwise provided in this subsection. For the purposes of this subsection, "personal property employed in trade" shall include liquefied petroleum gas installations together with tanks or other containers used in connection therewith. Portable mills, logs in any town to be manufactured therein, and all manufactured lumber excepting lumber in the possession of a transportation company and in transit, all potatoes stored awaiting sale or shipment, except those owned by and in the possession of the producer, house trailers not properly to be taxed as stock in trade, store fixtures, office furniture, furnishings, fixtures and equipment, and professional libraries, apparatus, implements and supplies, and coin-operated vending or amusement devices, and boats other than those used exclusively in tidal waters, and all manufactured merchandise except products either intended for manufacture into other products or used or for use in connection therewith and except merchandise in the possession of a transportation company or other carrier for the purpose of transporting the same, shall be taxed in the town where situated on the 1st day of April each year.'

Sec. 97. R. S., c. 82, § 20, amended. The 2nd and 6th sentences of section 20 of chapter 82 of the revised statutes, as amended, are hereby repealed and the following sentences enacted in place thereof, respectively:

'A town, the state or any kindred of a pauper having incurred expense for the relief of such pauper may complain to the superior court in the county where any of the kindred reside; and the court may cause such kindred to be summoned, and upon hearing or default may assess and apportion a reasonable sum upon such as are found to be of sufficient ability for the sup-

port of such pauper to the time of such assessment; and shall issue a writ of execution as in actions of tort.'

'On application of the town, the state or person to whom payment was ordered, the clerk may issue or renew a writ of execution returnable to the next term of the court to collect what may be due for any preceding quarter.'

Sec. 98. R. S., c. 85, §§ 42-A, 42-B, reallocated. Sections 42-A and 42-B of chapter 85 of the revised statutes, as enacted by chapter 292 of the public laws of 1949, are hereby reallocated to be sections 44-A and 44-B of said chapter 85.

Sec. 99. R. S., c. 88, § 14, amended. Section 14 of chapter 88 of the revised statutes, as amended, is hereby further amended to read as follows:

'Sec. 14. Copies of law posted. The commissioner of agriculture shall seasonably forward to the clerks of the several cities, towns and plantations copies of the 6 7 preceding sections, and each clerk shall annually, at least 20 days before the 1st day of April, post said copies in the usual places of posting notices of the annual municipal or town elections.'

Sec. 100. R. S., c. 124, § 24-A, additional. Chapter 124 of the revised statutes is hereby amended by adding thereto a new section to be numbered 24-A, to read as follows:

'Sec. 24-A. Throwing of bottles, etc., on highways. Whoever throws or deposits on any public way or on land within the bounds of such way any bottles or metal cans, except in proper containers placed for rubbish collection and removal, shall be punished by a fine of not more than \$10.'

Sec. 101. R. S., c. 127, § 23, amended. Section 23 of chapter 127 of the revised statutes is hereby amended to read as follows:

'Sec. 23. Jurisdiction. Trial justices shall on complaint cause to be arrested any person charged with the commission in their counties of any of the offenses described in the ~~22~~ 22 preceding sections; the offense may be deemed to have been committed in any county where such animal may be found; and when such offenses are not of a high and aggravated nature, they may try and punish by a fine of not less than \$5, nor more than \$20, and by imprisonment for not more than 30 days; but when on examination the offense appears to be one not within their jurisdiction for trial, they may cause the person or persons charged with the commission of the same to recognize with sureties to appear before the superior court, and in default thereof to be committed to jail.'

Sec. 102. R. S., c. 128, § 5, repealed. Section 5 of chapter 128 of the revised statutes is hereby repealed.

Sec. 103. R. S., c. 128, §§ 7-A, 7-B, reallocated. Section 7-A, as enacted by chapter 387 of the public laws of 1949, and section 7-B, as enacted by chapter 388 of the public laws of 1951, of chapter 128 of the revised statutes, are hereby reallocated to be sections 11-A and 11-B of said chapter 128.

Sec. 104. R. S., c. 136, § 27, amended. Section 27 of chapter 136 of the revised statutes is hereby amended to read as follows:

'Sec. 27. Power of governor to grant pardons not impaired. Nothing in the ~~¶~~ 17 preceding sections shall be construed to interfere or impair the power of the governor to grant pardons or commutations of sentence; nor shall anything therein contained be construed to interfere with the rights of any person who may be serving out a term of imprisonment in any penal institution in this state by virtue of a sentence imposed under any law heretofore or now in force.'

Sec. 105. R. S., c. 142, § 15-A, amended. The 1st sentence of section 15-A of chapter 142 of the revised statutes, as enacted by section 2 of chapter 136 of the public laws of 1951, is hereby amended to read as follows:

'If, at the tax due date, all the information is not available to make it possible to arrive at a final determination of the tax, or if it is impossible to compute the present value of any taxable share and the tax thereon is not ~~comprised~~ compromised as provided in section 12, any person who is or may become liable for the tax may, subject to the approval of the state tax assessor, deposit with the treasurer of state cash or bearer bonds or both in total value not in excess of the state tax assessor's estimate of the highest possible tax, in such kind and amount and upon such terms as the state tax assessor may require to provide security, partial or total, for payment of the tax.'

Sec. 106. R. S., c. 142, § 24-A, amended. The 1st sentence of section 24-A of chapter 142 of the revised statutes, as enacted by chapter 32 of the public laws of 1949, is hereby amended to read as follows:

'Whenever there shall be a certificate of deposit or account in any bank, savings bank or trust company, or a share account in any loan and building association, and any officer or employee of any such institution, who has charge of any such deposit or account, is informed or has knowledge of the death ~~after the effective date hereof~~ of any person carried on its

records as owner or co-owner thereof, then he shall, within 40 days from the receipt of such information or knowledge, notify the state tax assessor of such death, giving the name of the deceased person, the value as of the date of his death of all accounts and shares in such institution on which his name appears, and the names and addresses of any surviving co-owner or co-depositor; provided, however, no such report shall be required if the total of the accounts or shares in such institution does not exceed \$200.'

Sec. 107. R. S., c. 147, § 17-E, amended. The 2nd paragraph of section 17-E of chapter 147 of the revised statutes, as enacted by chapter 272 of the public laws of 1951, is hereby amended to read as follows:

'No rule of law against perpetuities or suspension of the power of alienation of the title to property shall operate to invalidate any trust created or attempted to be created, prior to ~~the effective date of this section~~ August 20, 1951 by an employer as a part of a stock bonus, pension, disability, death benefit or profit sharing plan for the benefit of some or all of his employees to which contributions are made by the employer or employees, or both, for the purpose of distributing to the employees earnings or principal, or both earnings and principal, of the fund held in trust, unless the trust is terminated by a court of competent jurisdiction in a suit instituted within 3 years after ~~said effective date~~ August 20, 1951.'

Sec. 108. R. S., c. 154, § 43, amended. Section 43 of chapter 154 of the revised statutes, as enacted by chapter 51 of the public laws of 1951, is hereby amended to read as follows:

'**Sec. 43. Not retroactive unless agreement filed.** Section 42 shall not apply to any such transfer made prior to ~~the effective date of this act~~ August 20, 1951, unless the persons in whose names said securities have been issued or are held, file with the corporation issuing such securities or with its transfer agent or registrar an agreement indicating their intention that section 42 shall apply.'

Sec. 109. R. S., c. 164, § 55-A, amended. Section 55-A of chapter 164 of the revised statutes, as enacted by chapter 136 of the public laws of 1949, is hereby amended by repealing the last paragraph thereof.

Sec. 110. R. S., c. 164, § 69, amended. The 1st sentence of section 69 of chapter 164 of the revised statutes is hereby amended to read as follows:

'The lien holder shall retain such watch, clock, jewelry, ~~or~~ radio equipment or electric motor for a period of 6 months, at the expiration of which time, if such lien is not satisfied, he may sell such watch, clock, jewelry, ~~or~~ radio

equipment or electric motor at public or private sale, after giving 30 days' notice in writing to the owner, specifying the amount due, describing the property to be sold, and informing him that the payment of such amount within 30 days shall entitle him to redeem such property.'

Sec. 111. R. S., c. 170, § 1, sub-§ I, ¶ D, repealed. Paragraph D of subsection I of section 1 of chapter 170 of the revised statutes, as enacted by section 1 of chapter 130 of the public laws of 1947, is hereby repealed.

Sec. 112. R. S., c. 170, § 1, sub-§ II, ¶ D, additional. Subsection II of section 1 of chapter 170 of the revised statutes is hereby amended by adding at the end thereof a new paragraph to be lettered D, to read as follows:

'D. Sales made by a cigarette distributor to a licensed wholesale dealer or to the operator of 15 or more vending machines shall not be subject to a markup of 2% as stated in the provisions of the preceding paragraph, but such sales shall be subject to full trade discount only.'

Sec. 113. P. L., 1951, c. 266, § 47, repealed. Section 47 of chapter 266 of the public laws of 1951 is hereby repealed.

Sec. 114. P. & S. L., 1951, c. 213, §§ 9, 10, 12, repealed. Sections 9, 10 and 12 of chapter 213 of the private and special laws of 1951 are hereby repealed.

Effective August 8, 1953

Chapter 309

AN ACT Requiring Certain Truck Owners to File Names of Agents for Certain Purposes.

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

Sec. 1. R. S., c. 19, § 27, amended. Section 27 of chapter 19 of the revised statutes, as amended, is hereby further amended to read as follows:

'Sec. 27. Truck, tractor, trailer or semi-trailer, with a load greater than that specified on registration certificate not to be operated on highway. No person shall operate, or cause to be operated, any truck, tractor, trailer or combination of truck tractor and semi-trailer, with a load that is more than 10% above that specified in the registration certificate for such vehicle for