

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-seventh Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with subsection VI of section 27 of chapter 10 of the Revised Statutes of 1954.

KENNEBEC JOURNAL
AUGUSTA, MAINE
1955

PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Ninety-seventh Legislature

1955

Chapter 171

AN ACT Relating to Continuous Credit for Excise Tax on Motor Vehicles.

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

R. S., c. 22, § 53, amended. Section 53 of chapter 22 of the revised statutes is hereby amended to read as follows:

'Sec. 53. Credit for tax may be transferred. Any owner who has paid said excise tax for a motor vehicle the ownership of which is transferred, or which is subsequently totally lost by fire, theft or accident or which is subsequently totally junked or abandoned, in the same calendar year, shall be entitled to a credit to the maximum amount of such tax towards an excise the tax previously paid in such year for any one vehicle toward the tax for another such other motor vehicles, regardless of the number of transfers, which may be required of him in the same calendar year and if, since payment of the excise tax on the first vehicle, the owner has by removal established a new place of residence, the said credit shall be allowed in the town in which the owner is now residing, said town to receive such additional tax as said owner may now be required to pay; provided, however, that only one such credit shall be allowed in any one calendar year. No portion of any excise tax once paid shall be repaid to any person; and from by reason of the transfer of vehicles or discontinuance of the use of a vehicle. From September 1st to December 31st such credit shall not exceed $\frac{1}{2}$ of the amount of the original maximum tax. For each such transfer made in the same calendar year, the owner shall pay \$1 to the town in which the owner is now residing.'

Effective August 20, 1955

Chapter 172

AN ACT Declaring Lawful Certain Rules and Regulations Promulgated by State Departments.

Emergency preamble. Whereas, the power of administrative agencies to make rules and regulations is of the utmost importance to the orderly functioning of our government; and

Whereas, the repealing of the revised statutes of 1944 and acts amendatory thereof and the enactment of the revised statutes of 1954 has given rise to a question concerning the legal existence after December 31, 1954, of certain rules and regulations properly promulgated under the revised statutes of 1944 and acts amendatory thereof; and

Whereas, it is necessary that the State have rules and regulations of unquestioned legal existence that shall be effective immediately; and

Whereas, in the judgment of the Legislature these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

R. S., c. 10, § 21-A, additional. Chapter 10 of the revised statutes is hereby amended by adding thereto a new section to be numbered 21-A, to read as follows:

'Sec. 21-A. Rules and regulations declared lawful. Rules and regulations duly and properly promulgated by the various Departments, Boards, Bureaus, Agencies and Commissions of the State as authorized under the provisions of laws contained in the Revised Statutes of 1944, and acts supplemental or amendatory thereto, and which were in effect on December 30, 1954, are hereby declared to be lawful and in effect.

Nothing contained herein shall be construed as depriving the various Departments, Boards, Bureaus, Agencies and Commissions of the right to amend, revise or otherwise change their rules and regulations in accordance with existing law in their present form or as amended or supplemented.'

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.

Effective April 11, 1955

Chapter 173

AN ACT Relating to Inheritance Tax Bonds.

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

R. S., c. 155, § 21, amended. The third sentence of section 21 of chapter 155 of the revised statutes is hereby amended to read as follows:

'Whenever an administration bond is waived by testamentary provision or by the assent of interested parties, the judge of probate, notwithstanding such waiver, before granting letters testamentary or of administration may, and if in his judgment the amount of any bequest or distributive share of the estate may be subject to a tax as unless he shall find that any inheritance or estate tax due and to become due the State is reasonably secured by the lien upon real estate hereinbefore provided shall, require a bond payable to him or his successor sufficient to secure the payment of all inheritance taxes and interest conditioned in substance to pay all inheritance and estate taxes due to the State from the estate of the deceased with interest thereon.'

Effective August 20, 1955

Chapter 174

AN ACT Relating to the Duties of the Commissioner of Agriculture Re Sardine Canning Inspection Law.

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

Sec. 1. R. S., c. 32, § 258, amended. Section 258 of chapter 32 of the revised statutes is hereby amended by adding at the end thereof the following sentence: