

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and First Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with the Revised Statutes of 1954, Chapter 10, Section 27, Subsection VI.

The Knowlton and McLeary Company
Farmington, Maine
1963

PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the One Hundredth Legislature

At The

SPECIAL SESSION, November 27, 1961

to

December 2, 1961

Sec. 2. R. S., c. 61, § 21, amended. Section 21 of chapter 61 of the Revised Statutes, as amended, is further amended by adding at the end the following paragraphs:

'By filing the bond hereafter required, a Maine wholesale licensee may pay monthly the excise tax imposed by section 22 on all malt liquor shipped into this State as shown by invoice of the shipment by the out-of-state wholesaler or holder of certificate of approval. The tax shall be paid by the wholesale licensee on or before the 10th day of the calendar month following that in which shipment occurs. Each Maine wholesale licensee shall, at the time of payment of the excise tax on or before the 10th day of each month, furnish to the commission in such form as may be prescribed a verified monthly report of all malt liquor purchased or imported based on the date of shipment invoice during the preceding calendar month and all such additional information as may be deemed necessary to compute and assure the accuracy of the excise tax payment accompanying the report.

In order to secure payment of the excise tax, each wholesale licensee shall file with the commission a corporate surety bond, in form and amount approved and determined by the commission, guaranteeing payment of the proper excise tax due the State from him. The commission shall fix the amount and terms of the bond in such manner and subject to such conditions as it deems most appropriate. Said bond shall be equal to double the highest monthly excise tax paid by the wholesale licensee during the period of his prior calendar year license. All such bonds shall be provided and effective only for each calendar licensed year. New licensees desiring to furnish bond under this section shall furnish corporate surety bond in an amount to be determined by the commission. Failure to pay the excise tax when due shall be grounds for the suspension of the license of the Maine wholesale licensee.'

Sec. 3. Effective date. This act shall become effective on July 1, 1963.

Effective July 1, 1963

Chapter 414

AN ACT Relating to State Retirement Benefits for Certain Teachers.

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

Sec. 1. R. S., c. 63-A, § 6, sub-§ V, repealed and replaced. Subsection V of section 6 of chapter 63-A of the Revised Statutes, as enacted by chapter 156 of the public laws of 1957 and as last amended by chapter 366 of the public laws of 1959, is repealed and the following enacted in place thereof:

'V. Teachers. Any teacher who began to teach in the public schools of Maine prior to July 1, 1947 and has attained 60 years of age shall, upon proper application and verification of at least 15 years of such teaching service, be granted a minimum monthly benefit of \$25. If, by virtue of length of teaching service in Maine and using the formula of $1/70$ of average final compensation times the years so taught and verified, a greater monthly benefit is developed, then the greater amount shall be paid. Proper adjustments in benefits already being paid under this section shall be made, in those cases affected, on the first monthly pension payroll subsequent to the effective date of this act.'

Sec. 2. Appropriation. There is appropriated from the Unappropriated Surplus of the General Fund to the Maine State Retirement System to carry out the purposes of this act the sum of \$840 for the fiscal year ending June 30, 1962 and \$2,500 for the fiscal year ending June 30, 1963.

Effective March 3, 1962

Chapter 415

AN ACT Increasing the Number of Justices of the Superior Court.

Emergency preamble. Whereas, acts of the Legislature do not become effective until 90 days after adjournment unless passed as emergencies; and

Whereas, the Constitution of Maine provides that every citizen shall have a remedy by due course of law promptly and without delay; and

Whereas, it appears that the growing population is casting an increasing workload and burden on our Superior Court; and

Whereas, an additional justice to said court should be appointed without delay to expedite and assist in the speedy and prompt disposal of cases pending before said Superior Court; 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:

Sec. 1. R. S., c. 106, § 1, amended. The first sentence of section 1 of chapter 106 of the Revised Statutes is amended to read as follows:

‘The Superior Court, as heretofore established, shall consist of 8 9 justices and such Active Retired Justices as may be appointed and serving on said court, learned in the law and of sobriety of manners.’

Sec. 2. R. S., c. 106, § 2, amended. The 2nd sentence of section 2 of chapter 106 of the Revised Statutes, as last repealed and replaced by section 68 of chapter 378 of the public laws of 1959, is amended to read as follows:

‘Chapter 103, section 4, relating to reimbursement of Justices of the Supreme Judicial Court for expenses incurred by them shall apply to Justices of the Superior Court, including reimbursement for expenses incurred in employing clerical assistance but which in the aggregate shall not exceed a total sum of \$4,000 \$4,500 per year for all such clerical assistance.’

Sec. 3. Appropriation. There is appropriated from the Unappropriated Surplus of the General Fund the sum of \$10,565 for the fiscal year ending June 30, 1962 and the sum of \$16,050 for the fiscal year ending June 30, 1963 to the Superior Court to carry out the purposes of sections 1 and 2; the breakdown shall be as follows: