

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 Hundred and First Legislature

1963

'Sec. 67-A. Actions for failure to perfect collections. An action against a tax collector for failure to perfect his tax collections shall be commenced within 6 years after the date of such collector's warrant.'

Effective September 21, 1963

Chapter 264

AN ACT Relating to Suspension of Registration of Motor Vehicles Driven by Certain Persons When Arrested.

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

R. S., c. 22, § 162, amended. The last sentence of section 162 of chapter 22 of the Revised Statutes is amended to read as follows:

'If ~~such~~ a person fails to appear in court on the day specified, either in person or by counsel, the court shall notify the Secretary of State, who shall immediately suspend or revoke his license, if licensed in this State, or suspend or revoke his right to operate motor vehicles in this State, if a nonresident and not licensed in this State, and also suspend ~~or annul~~ the registration of the motor vehicle driven by such person when arrested, if said motor vehicle is registered in this State by such person. The Secretary of State may also suspend the registration of the motor vehicle driven by such person when arrested, if said motor vehicle is registered in this State by other than the operator of said motor vehicle, provided he first gives 7 days' notice of his intention to do so.'

Effective September 21, 1963

Chapter 265

AN ACT Relating to Order of Divorce Concerning Minor Children.

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

Sec. 1. R. S., c. 166, § 70, amended. The first sentence of section 70 of chapter 166 of the Revised Statutes, as amended by chapter 41 of the public laws of 1961, is further amended to read as follows:

'The court making an order of nullity or of divorce may make an order concerning the care, custody and support of the minor children of the parties and with which parents any of them shall live, or grant the care and custody of said children to a 3rd person or to some suitable society or institution for the care and protection of children or to the Department of Health and Welfare ~~and~~. It may alter its order concerning the care, custody and support of the minor children from time to time as circumstances require, whether or not either parent be then living, upon motion of either party, such society or institution as aforesaid, ~~or~~ the State Department of Health and Welfare, any 3rd person to whom care or custody has been granted, any blood relative or any person standing in

loco parentis to said minor children; change the name of the wife, at her request; and in execution of the powers given it under this chapter may employ any compulsory process which it deems proper, by execution, attachment or other effectual form, on which costs shall be taxed as in other actions.'

Sec. 2. R. S., c. 166, § 70, amended. Section 70 of chapter 166 of the Revised Statutes, as amended, is further amended by adding a new paragraph to read as follows:

'The order of the court for support of minor children may run against the father or the mother in whole or in part or against both as the court in its sound discretion shall determine, irrespective of the fault of the father or the mother in the divorce action. When the order is to run against both, the court shall specify the amount each shall pay.'

Effective September 21, 1963

Chapter 266

AN ACT Relating to Disposition of Convicts and Persons Detained in County Jails Alleged to be Mentally Ill.

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

Sec. 1. R. S., c. 27, §§ 122 - 124, repealed. Sections 122, 123 and 124 of chapter 27 of the Revised Statutes, as amended, are repealed.

Sec. 2. R. S., c. 27, §§ 122-A - 122-B, additional. Chapter 27 of the Revised Statutes is amended by adding 2 new sections, to be numbered 122-A and 122-B, to read as follows:

'Sec. 122-A. Convict or person detained alleged to be mentally ill; prehearing procedure. When, in the opinion of the sheriff or the keeper of a county jail any convict in such jail or any convict whose sentence has expired and is there detained has become mentally ill, he shall apply in writing giving his reasons therefor, to the District Court having territorial jurisdiction, for a judicial determination of the mental condition and need for care and treatment in a mental hospital of the convict or person detained, and shall accompany such application, with the certification of a licensed physician that he has examined the convict or person detained, and that in his opinion such person is mentally ill and is in need of care or treatment in a mental hospital.

Upon receipt of such application and certificate, the court shall appoint 2 licensed physicians to examine the proposed patient and report to the court their findings as to the mental condition of such person, and his need for care or treatment in a mental hospital.

If the report of the licensed physicians is to the effect that the individual examined is not mentally ill the court shall, without taking further action, terminate the proceedings and dismiss the application, otherwise it shall forthwith