

# MAINE STATE LEGISLATURE

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LAWS  
OF THE  
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE

FIRST REGULAR SESSION

January 5, 1977 to July 25, 1977

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN  
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 164, SUBSECTION 6.

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PORTLAND LITHOGRAPH COMPANY  
PORTLAND, MAINE  
1977

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PUBLIC LAWS  
OF THE  
**STATE OF MAINE**

AS PASSED AT THE  
**FIRST REGULAR SESSION**

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ONE HUNDRED AND EIGHTH LEGISLATURE

1977

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1. Enforce laws and rules. To enforce the laws of the State governing the use of elevators and tramways and to enforce adopted rules of the board;
2. Free access to premises or location. To have free access for himself and the state inspectors at all reasonable times to any premises in the State where an elevator or tramway is installed or is under construction for the purpose of ascertaining whether such elevator or tramway is installed, operated, repaired or constructed in accordance with this subchapter;
3. Supervise inspectors. To allocate and supervise the work of state inspectors;
4. Records. To keep a record of the type, dimensions, age, conditions and location and date of last inspection of all elevators to which this subchapter applies;
5. Certificates. To issue, suspend and revoke certificates allowing elevators and tramways to be operated;
6. Examinations. To hold examinations, and to establish the fitness of applicants to become inspectors or elevator mechanics, and to issue certificates or licenses to those persons who have successfully passed such examinations and are approved by the board as elevator inspectors, licensed tramway inspectors or elevator mechanics; and
7. Copies of rules. To publish and distribute among elevator and tramway owners, lessees, manufacturers, repair companies and others requesting them, copies of the rules as adopted by the board, except those rules which are American National Standards Institute standard, which must be obtained from the publisher.

Sec. 5. Appropriation. There is appropriated from the General Fund to the Department of Manpower Affairs, Bureau of Labor, the sum of \$8,000 to carry out the purposes of this Act. The breakdown shall be as follows:

	1977-78	1978-79
MANPOWER AFFAIRS, DEPARTMENT OF		
Bureau of Labor		
Board of Elevator and Tramway Safety		
All Other	\$ 4,000	\$ 4,000

Effective October 24, 1977

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## CHAPTER 544

AN ACT Concerning Administration of the Judicial Department.

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

**Sec. 1.** 4 MRSA § 17, sub-§ 2, 2nd sentence, as enacted by PL 1975, c. 408, § 5-A, is amended to read:

From such reports, the administrator shall indicate which courts are in need of additional judicial personnel and make recommendations to the Chief Justice and to the Chief Judge of the District Court concerning the assignment or reassignment of personnel to courts that are in need of such personnel.

**Sec. 2.** 4 MRSA § 17, sub-§ 5, as enacted by PL 1975, c. 408, § 5-A, is amended to read:

5. Prescribe uniform administrative and business methods, etc. Prescribe uniform administrative and business methods, systems, forms, docketing and records to be used in ~~all state courts~~ the Supreme Judicial Court, in the Superior Court and, with the written approval of the Chief Judge of the District Court, in the District Court;

**Sec. 3.** 4 MRSA § 17, sub-§ 6, as enacted by PL 1975, c. 408, § 5-A, is amended to read:

6. Implement standards and policies set by the Chief Justice. Implement standards and policies set by the Chief Justice regarding hours of court, the assignment of term parts ~~judges~~ and justices;

**Sec. 4.** 4 MRSA § 17, sub-§ 7, ¶¶ D and E, as enacted by PL 1975, c. 408, § 5-A, are amended to read:

D. Collect statistical and other data and make reports to the Chief Justice and to the Chief Judge of the District Court relating to the expenditures of public moneys for the maintenance and operation of the Judicial Department;

E. Develop a uniform set of accounting and budgetary accounts for ~~all courts in the Judicial Department~~ the Supreme Judicial Court, for the Superior Court and, with the written approval of the Chief Judge of the District Court, for the District Court and serve as auditor of the Judicial Department;

**Sec. 5.** 4 MRSA § 17, sub-§ 12, as enacted by PL 1975, c. 408, § 5-A, is amended to read:

12. Prepare and plan clerical offices. Prepare and plan for the organization and operation of clerical offices serving the Superior and District Courts Court and, at the request of the Chief Judge of the District Court, the District Court within each county; provide for a central clerk of court office at each county seat with satellite clerk in each court;

**Sec. 6.** 4 MRSA § 17, sub-§ 13, as enacted by PL 1975, c. 408, § 5-A, is amended to read:

13. Implement preservice and inservice educational and training programs. Develop and implement preservice and inservice educational and training programs for ~~judicial and~~ nonjudicial personnel of the Judicial Department; and

Sec. 7. 4 MRSA § 164, sub-§ 2, is amended to read:

2. Assign judges at large. Assign judges at large to hold court in any division where, in his sole judgment, they are needed;

Sec. 8. 4 MRSA § 164, sub-§ 5, is amended to read:

5. Assign judges. Assign a judge to hold court for a temporary period in a district or division outside of his own district where, in his sole judgment, they are needed;

Sec. 9. 4 MRSA § 164, sub-§ 8, as amended by PL 1975, c. 408, § 15, is further amended to read:

8. Budget. ~~Prepare~~ Utilizing such assistance from the Administrative Office of the Courts as he may request, prepare and submit a proposed annual budget for the District Court to the Chief Justice or his delegate;

Sec. 10. 4 MRSA § 164, sub-§ 15, is enacted to read:

15. Development and implementation of administrative concepts. The Chief Judge shall carry on a continuous survey and study of the organization, operation, condition of business, practice and procedure of the District Court and make recommendations to the Chief Justice of the Supreme Judicial Court concerning the number of judges and other personnel required for the efficient administration of justice and examine, with the advice of the judges of the District Court, the status of dockets of the various District Courts so as to determine whether the business of the court is being carried out in an efficient manner. From such examination, the Chief Judge shall annually make recommendations to the Chief Justice of the Supreme Judicial Court for guidelines and policies for the scheduling and trial of matters before the District Court. In providing such recommendations, the Chief Judge shall give due and appropriate regard to the recommendations of the judges and other personnel of the District Court and shall provide a mechanism whereby their individual recommendations and comments may be brought to the attention of the Chief Justice. The Chief Judge, in advising as to the appropriateness of the methods or the systems for scheduling trials and the management of matters before the District Court, shall take into consideration systems and methods operational in the Superior Court. The final decision as to the management of personnel and the implementation of guidelines, policies and procedures for the scheduling of trials and management of matters before the District Court shall be made by the Chief Justice only after consultation with the Chief Judge.

Sec. 11. 4 MRSA § 471, first ¶, as enacted by PL 1975, c. 408, § 19-A, is amended to read:

There shall be a Judicial Conference of Maine composed of judges and justices who shall advise and consult with the Supreme Judicial Court and

the Chief Justice on matters affecting the administration of the Judicial Department, who shall review and discuss proposals from the Chief Justice and the State Court Administrator which affect the administration of the Judicial Department and who shall meet at least once each year for that purpose.

Effective October 24, 1977

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## CHAPTER 545

### AN ACT to Provide Minimum Subsidy Payments for Small Administrative Units.

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

Whereas, there is an urgent need for some small administrative units to receive additional state aid for the fiscal year 1978 and thereafter; 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.** 20 MRSA § 3743, sub-§ 13, ¶ J, as enacted by PL 1975, c. 660, § 2, is amended to read:

J. Cost of geographic isolation adjustments; ~~and~~

**Sec. 2.** 20 MRSA § 3743, sub-§ 13, ¶ J-1 is enacted to read:

J-1. Cost of adjustments for small administrative units; and

**Sec. 3.** 20 MRSA § 3744, sub-§ 1, ¶ J-1 is enacted to read:

J-1. Cost of adjustments for small administrative units;

**Sec. 4.** 20 MRSA § 3744, sub-§ 1, ¶ L, as enacted by PL 1975, c. 660, § 2, is amended to read:

L. State expenditures for each of paragraphs C ~~to~~ through K for the base year;

**Sec. 5.** 20 MRSA § 3744, sub-§ 1, ¶ O, as repealed and replaced by PL 1975, c. 746, § 24-C, is amended to read:

O. Optional local funds without state participation raised under section 3749 for each of paragraphs A ~~to~~ through K, including the 10% local portion of paragraphs C ~~to~~ through F or under a special hardship waiver granted by the State Board of Education, expended during the base year.