

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)

STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years

1957 - 1958

July 11, 1957

To: Norman U. Greenlaw, Commissioner of Institutional Service

Re: Section 105, Chapter 27, Revised Statutes of 1954
Commitment-Emergency Certificate

We have your memorandum of July 1, 1957, with regard to the point of time from which the fifteen days mentioned in Section 105, Chapter 27, Revised Statutes of 1954, are to be counted. That section provides as follows:

“Emergency cases: Pending the issue of such certificate of commitment by the municipal officers, such superintendent may receive into his hospital any person so alleged on complaint to be insane, provided such person be accompanied by a copy of the complaint and physicians’ certificate; which certificate shall set forth that in the judgment of the physicians the condition of said person is such that immediate restraint and detention is necessary for his comfort and safety or the safety of others; and provided further, that unless within 15 days thereafter said superintendent shall be furnished with the certificate of commitment hereinbefore provided for, the detention of such person shall cease. Said municipal officers shall keep a record of their doings and furnish a copy to any interested person requesting and paying for it.

In addition to the certificate of commitment, a statement of facts under oath in regard to the financial ability of such patient, or of any of his relatives legally liable to pay for his support, shall be furnished the superintendent of the hospital.”

We are of the opinion that the term “within 15 days thereafter” is to be determined from the day of the admission of the patient under the emergency certificate signed by the physicians who have certified that the patient requires immediate restraint and detention for his comfort and safety and for the safety of others.

ROGER A. PUTNAM
Assistant Attorney General

July 15, 1957

To E. L. Newdick, Commissioner of Agriculture

Re: Stipend Fund

We have your memo of June 25, 1957, in which you ask for an opinion relative to L. D. 1062 (now Chapter 391 of the Public Laws of 1957), being an Act relating to pari-mutuel horse racing and the stipend fund.

The section in question is Section 1 of the act and reads as follows:

“One-half of the amounts contributed under the provisions of section 14 of chapter 86 and section 13 of chapter 87 shall be divided for reimbursements in equal amounts to each recipient of the stipend fund which conducts pari-mutuel racing in conjunction with its annual fair if said recipient has improved its racing facilities and has met the standards for facility improvements set by the Commissioner of Agriculture for said recipients. If a recipient has not complied with the individual standards set by the Commissioner said yearly reimbursements