

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

AS PASSED BY THE

## Ninety-ninth Legislature

OF THE

# STATE OF MAINE

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Sec. 3. R. S., c. 32, § 181, amended. The 2nd paragraph of section 181 of chapter 32 of the Revised Statutes is repealed as follows:

~~'The term "commercial fertilizer" as used herein shall be held to include all materials used for fertilizing purposes except unprocessed animal manure.'~~

Sec. 4. R. S., c. 32, §§ 184, 185 and 186, repealed. Sections 184, 185 and 186 of chapter 32 of the Revised Statutes, as amended by sections 1 and 2 of chapter 77 of the public laws of 1955, are repealed.

Sec. 5. R. S., c. 32, § 188, repealed. Section 188 of chapter 32 of the Revised Statutes, as amended by section 5 of chapter 331 of the public laws of 1957, is repealed.

Sec. 6. R. S., c. 32, § 189, sub-§ I, repealed. Subsection I of section 189 of chapter 32 of the Revised Statutes, as renumbered by section 7 of chapter 331 of the public laws of 1957, is repealed.

Sec. 7. R. S., c. 32, § 190, sub-§ I, repealed. Subsection I of section 190 of chapter 32 of the Revised Statutes, as renumbered by section 9 of chapter 331 of the public laws of 1957, is repealed.

Sec. 8. R. S., c. 32, §§ 209, 210 and 211, repealed. Sections 209, 210 and 211 of chapter 32 of the Revised Statutes are repealed.

Sec. 9. R. S., c. 16, § 234, amended. The 2nd sentence of section 234 of chapter 16 of the Revised Statutes is amended to read as follows:

~~'With the filing of said statement, each such person, firm or corporation shall pay to the State Tax Assessor a fee of ~~25~~ 40 a ton of 2,000 pounds for mixed fertilizer so sold.'~~

Sec. 10. R. S., c. 16, § 235, amended. Section 235 of chapter 16 of the Revised Statutes is amended to read as follows:

~~'Sec. 235. Disposition of fees. The fees so collected by the State Tax Assessor shall be deposited with the Treasurer of State and appropriated for carrying out the provisions of sections 184 and 186 of chapter 32, sections 215-A to 215-J, including the cost of inspection, sampling and analysis of commercial fertilizer. Such funds shall not lapse but shall remain a continuing carrying account.'~~

Sec. 11. Effective date. The provisions of this act shall become effective January 1, 1960.

Effective January 1, 1960

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## Chapter 242

### AN ACT to Revise Certain Laws of the Department of Institutional Service.

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

Sec. 1. R. S., c. 27, § 1, amended. The first sentence of section 1 of chapter 27 of the Revised Statutes, as amended by section 2 of chapter 21 and by chapter 379, both of the public laws of 1957, is further amended to read as follows:

'The Department of Institutional Service, as heretofore established, hereinafter in this chapter called the "department," shall have general supervision, management and control of the grounds, buildings and property, officers and employees, and patients and inmates of all of the following state institutions: The insane hospitals, Pineland Hospital and Training Center, the State Prison, the Reformatories for Men and Women, the juvenile institutions, ~~the state sanatoriums~~ the Governor Baxter State School for the Deaf, the Military and Naval Children's Home and such other charitable and correctional state institutions as may be created from time to time. All orders of commitment, medical and administrative records, in the department are held to be confidential. Such records may be subpoenaed by a court of record.'

Sec. 2. R. S., c. 27, § 3-A, additional. Chapter 27 of the Revised Statutes is amended by adding a new section 3-A, to read as follows:

'Sec. 3-A. Employment of prisoners and inmates on public works; use for other purposes; escape from such employment or use. The department may authorize the employment of able-bodied prisoners in the State Prison or inmates of the Reformatory for Men in the construction and improvement of highways or other public works within the State under such arrangements as may be made with the State Highway Commission or other department or commission of the State having such public works in charge, and said department may prescribe such rules and conditions as it deems expedient to insure the proper care and treatment of the prisoners or inmates while so employed and their safekeeping and return. The department may further authorize the training and use of able-bodied prisoners in the State Prison or inmates in the Reformatory for Men by the State Forestry Department or the Department of Civil Defense and Public Safety to fight fires or provide assistance during or after any civilian disaster. Any prisoner or inmate who escapes from any assignments described in this section, or any other assignment beyond the walls of the State Prison or off the grounds of the Reformatory for Men shall be guilty of escape under this chapter or chapter 135, section 28.'

Sec. 3. R. S., c. 27, § 22, repealed. Section 22 of chapter 27 of the Revised Statutes is repealed.

Sec. 4. R. S., c. 27, § 26, amended. The 2nd sentence of section 26 of chapter 27 of the Revised Statutes is amended to read as follows:

'He shall have a deputy appointed by the commissioner deputies, to be appointed by him subject to the provisions of the Personnel Law, who, when the office of Warden is vacant or the Warden is absent from the prison or unable to perform the duties of his office, shall have the powers, perform the duties and be subject to all the obligations and liabilities of the Warden.'

Sec. 5. R. S., c. 27, § 28, amended. The first sentence of section 28 and the 2nd sentence of section 28, as enacted by chapter 149 of the public laws of 1957, are amended to read as follows:

'Each convict ~~except those sentenced to imprisonment for life~~, whose record of conduct shows that he has faithfully observed all the rules and requirements of the prison, shall be entitled to a deduction of 7 days ~~per~~ a month from the minimum term of his sentence, commencing on the first day of his arrival at the prison. An additional one day ~~per~~ a month may be deducted from the sentence of those convicts who are assigned duties outside the prison walls or security system, or those convicts within the prison walls who are assigned to

work deemed by the Warden of the prison to be of sufficient importance and responsibility to warrant such deduction.'

Sec. 6. R. S., c. 27, § 42, amended. Section 42 of chapter 27 of the Revised Statutes, as amended by chapter 309 of the public laws of 1955, is further amended to read as follows:

'Sec. 42. Convict assaulting officers; escape; prosecution. If a convict, sentenced to the State Prison for life or for a limited term of years, or transferred thereto from the Reformatory for Men under section 75, or committed thereto for safekeeping under chapter 148, section 33, assaults any officer or other person employed in the government thereof, or breaks or escapes therefrom, or forcibly attempts to do so, he may, at the discretion of the court, be punished by confinement to hard labor for any term of years, to commence after the completion of his former sentence, except in the case of a convict serving a life sentence, to commence at the completion of 30 years of such sentence. The Warden shall certify the fact of a violation of the foregoing provisions to the county attorney for the County of Knox, who shall prosecute such convict therefor.'

Sec. 7. R. S., c. 27, §§ 76-94, repealed. Sections 76 to 94 of chapter 27 of the Revised Statutes, as amended, are repealed.

Sec. 8. Amendment of words "insane" and "insanity." Wherever in the Revised Statutes or public laws or private and special laws the words "insane" or "insanity" appear, they shall be amended to the words 'mentally ill' and 'mental illness' except in all instances where the word "insane" is in reference to the word criminal.

Effective September 12, 1959

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## Chapter 243

### AN ACT Relating to Marking and Detention of Substandard Grade Sardines.

**Emergency preamble.** Whereas, the sardine industry is one of the important industries of the State of Maine; and

Whereas, the packing or canning of sardines is a seasonal operation extending from April 15th to December 1st of each year; and

Whereas, the inspection conducted by the Commissioner of Agriculture benefits both the packers and the public in helping to maintain and improve the quality of this important food product; and

Whereas, it is desirable to change the law to clarify the marking requirements for goods not in compliance with the sardine inspection law and the marking requirements of substandard grade sardines, and to enable the Commissioner of Agriculture to detain such goods until properly marked; and

Whereas, it is desirable and necessary that changes in the law affecting the packing of sardines and inspection thereof should be in effect at the beginning of the packing season or as soon thereafter as possible so that the benefits of