

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundredth Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the One Hundredth Legislature

1961

~~'The provisions of this~~ This chapter shall not apply to teachers ~~police~~men and firemen who are under a state or local government pension or retirement plan, except teachers at the Maine Maritime Academy.'

Effective September 16, 1961

Chapter 39

AN ACT Increasing Debt Limit Under Small Claims Law.

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

R. S., c. 109, § 1, amended. Section 1 of chapter 109 of the Revised Statutes, as amended by chapter 44 of the public laws of 1957, is further amended to read as follows:

'Sec. 1. "Small claim" defined. A "small claim" is any right of action cognizable by a court of law not involving the title to real estate in which the debt or damage claimed does not exceed ~~\$50~~ \$100.'

Effective September 16, 1961

Chapter 40

AN ACT Relating to Cheating by False Pretenses.

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

R. S., c. 133, § 11, amended. Section 11 of chapter 133 of the Revised Statutes is amended by adding at the end a new sentence to read as follows:

'A promise, if unconditional and made without present intention of performance, will constitute a false pretense within this section.'

Effective September 16, 1961

Chapter 41

AN ACT Relating to Order of Divorce Concerning Minor Children.

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

R. S., c. 166, § 70, amended. The first paragraph of section 70 of chapter 166 of the Revised Statutes is amended to read as follows:

'The court making ~~a decree~~ an order of nullity or of divorce ~~or any justice thereof in vacation~~ may also ~~decree~~ 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 may ~~also~~ alter its ~~decree~~ order from time to time as circumstances require ~~upon motion of either party or the State Department of Health and Welfare~~; change the name of the wife, at her request; and in execution of the powers given it under ~~the provisions of 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. In all proceedings under ~~the provisions of this chapter~~ where the husband is committed to jail on any execution issued upon ~~decree~~ order for alimony, or for payment of money instead thereof, or for the support of the minor children of the parties, the county having jurisdiction of the proceedings shall bear the expense of his ~~commitment~~ and support in jail.'

Effective September 16, 1961

Chapter 42

AN ACT Relating to Civilian Employees of Maine National Guard Under State Retirement System.

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

Sec. 1. R. S., c. 63-A, § 17, sub-§ I, amended. Subsection I of section 17 of chapter 63-A of the Revised Statutes, as enacted by section 1 of chapter 417 of the public laws of 1955, is amended to read as follows:

'I. Participating local districts. The employees of any county, city, town, water district, public library corporation or any other quasi-municipal corporation of the State, the civilian employees of the Maine National Guard, or of Maine Municipal Association, may participate in the retirement system, to the full extent of any and all benefits provided for in this chapter provided the county commissioners, or the city council or corresponding body of a city, or the voters of a town at a duly constituted town meeting, or the trustees of a water district, public library corporation or other quasi-municipal corporation, the Adjutant General, or the active member municipalities of Maine Municipal Association through its executive committee, approve such participation and file with the board of trustees a duly certified copy of the resolution of the county commissioners or of the city council or such corresponding body approving such participation and the extent of the benefits which shall apply, or a record of the vote of the town voters certified by the clerk of the town meeting. Such county, city, town, water district, public library corporation or other quasi-municipal corporation, Maine National Guard, or Maine Municipal Association, approving the participation of its emp'oyees in the retirement system shall thereafter be known for the purposes of this chapter as "a participating local district." Such county, city, town, water district, public library corporation or other quasi-municipal corporation, Maine National Guard, or Maine Municipal Association, shall designate in their approval any class of employees, otherwise provided for by local pension provisions, who may be exempted from ~~the provisions of this chapter~~. The date when the participation of the employees of a participating local district may begin shall be set by the board of trustees not more than 6 months following the date the local district approved the participation of its employees. This date shall be considered as the date of establishment for participating local districts as defined in section 2.'