

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundredth 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.

KENNEBEC JOURNAL

AUGUSTA, MAINE

1961

PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the One Hundredth Legislature

1961

Whereas, summer schools in 1961 will be in operation the latter part of June; 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:

R. S., c. 41, § 44, amended. Section 44 of chapter 41 of the Revised Statutes, as last amended by section 22 of chapter 364 of the public laws of 1957, is further amended by adding thereto a new paragraph to read as follows:

'Notwithstanding the foregoing provisions of this section, summer schools operated by public school administrative units may charge tuition, not exceeding the school's per capita cost for the preceding summer. The per capita cost shall be determined in accordance with regulations established by the State Board of Education. In the first summer of its operation a school's tuition rate shall not exceed the average cost per pupil in all approved public summer schools of the State for the preceding summer. The tuition rate in a public summer school shall be the same for all pupils in attendance at that school who are legal residents of Maine.'

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.

Effective March 17, 1961

Chapter 110

AN ACT Relating to Funds in Custody of Clerks of Courts.

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

R. S., c. 89, § 100, amended. The 2nd paragraph of section 100 of chapter 89 of the Revised Statutes is amended to read as follows:

'Proceeds of all sales of property made under the judgment or decree of the Supreme Judicial Court ~~and~~ or of the Superior Court and any and all other sums of money from whatever source derived in civil proceedings coming into the custody of the Supreme Judicial Court ~~and~~ or of the Superior Court shall be deposited in such depository as the court having custody of such money shall designate, and shall be withdrawn therefrom upon order of the clerk of courts, countersigned by any Justice of the Supreme Judicial Court or of the Superior Court ~~in term time or vacation~~. Any justice of either of said courts ~~in term time or vacation~~ shall designate some proper ~~bank or trust company~~ as the depository for the funds ~~hereinbefore~~ referred to and such designation shall be minuted on the docket of the court. ~~At each regular term of the superior court in each county, the presiding justice shall verify the account kept with such depository and shall cause to be minuted on the docket that he finds the same to be accurate and duly vouched. He shall affix his signature to such certificates on the docket~~ Clerks of courts in the several counties shall keep a

regular ~~book~~ record containing the account of such funds showing the deposits and all accumulations thereof and the amounts withdrawn therefrom, specifying the date of such withdrawal and the case to which such matters relate. All deposits shall be in the name of the ~~court~~ incumbent clerk of courts as custodian.

Whenever any of said funds are ordered by the court to be paid to a person entitled to same, $\frac{1}{2}$ of the accrued interest, if any, shall be paid to the county treasurer for the use of the county, and the other $\frac{1}{2}$ paid to the claimant unless otherwise ordered by the court. Whenever any of said funds remain unclaimed for 20 years from the date when payable under said court judgment or decree, the clerk shall obtain an order from the court, under whose judgment or decree said funds were placed in his custody, that a comprehensive abstract of the facts be advertised for 3 weeks successively in a newspaper of general circulation published in the county, and if no one appears to claim said funds within 60 days after date of the last publication, the same shall become forfeited to the county and be paid by said clerk to the county treasurer for the use of the county. That portion of this section providing for the forfeiture of unclaimed funds shall apply to funds held by the clerk of courts for 20 years or more prior to the effective date of this act.'

Effective September 16, 1961

Chapter 111

AN ACT Relating to Educational Subsidies to Administrative Units.

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

Sec. 1. R. S., c. 41, § 242, amended. The first sentence of section 242 of chapter 41 of the Revised Statutes, as amended, is further amended to read as follows:

'All apportionments to administrative units, academies and institutes under ~~the provisions of this chapter~~, unless specifically directed by statute, shall be made annually in December, ~~except that whenever the commissioner is satisfied that a financial need exists, and with the approval of the treasurer of state, an amount not to exceed 2/3 of the estimated subsidy may be paid on or after September 15~~ the following manner; an amount not to exceed $\frac{2}{3}$ of the estimated subsidy shall be paid on or after August 15th with the balance being paid in December.'

Sec. 2. R. S., c. 41, § 242, amended. The last sentence of section 242 of chapter 41 of the Revised Statutes, as enacted by chapter 300 of the public laws of 1957, is repealed, as follows:

'Requests for such direct payment shall be made during the year in which such payment is due on or after September 15th but no later than November 1st.'

Effective September 16, 1961