

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

Chapter 242

AN ACT Relating to Power of Municipal Court to Order Sentences Served Concurrently or Consecutively.

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

R. S., c. 149, §1, amended. Section 1 of chapter 149 of the Revised Statutes, as amended, is further amended by adding a new paragraph to read as follows:

'The court shall rule, and in appropriate cases shall endorse, on the mittimus, that the terms of imprisonment shall be served concurrently or consecutively; or in the event of sentences by payment of a fine, that the commitment for the non-payment thereof under section 42 be served concurrently or consecutively. In the event the court fails so to rule or endorse, said sentences shall be served concurrently. The provisions of this paragraph shall likewise apply to sentences by payment of a fine and sentences by imprisonment for separate offenses.'

Effective September 16, 1961

Chapter 243

AN ACT Relating to Removal of Buildings Guttied by Fire or Debris Remaining after Building Destroyed by Fire.

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

R. S., c. 97, § 22, amended. The 2nd sentence of section 22 of chapter 97 of the Revised Statutes is amended to read as follows:

'Whenever any of said officers shall find any building or other structure which, for want of repairs or by reason of age or dilapidated condition or from any other cause is especially liable to fire, ~~and~~ or which is so situated as to endanger other property or the safety of the public, ~~and~~ or whenever such officer shall find in or around any building combustible or explosive matter or inflammable or other conditions dangerous to the safety of such buildings, or whenever such officer shall find any building which has been guttied by fire, or whenever such officer shall find that debris remains from a building which has been destroyed by fire or otherwise, he shall order the same to be removed or remedied, and such order shall forthwith be complied with by the owner or occupant of such premises or buildings.'

Effective September 16, 1961

Chapter 244

AN ACT Relating to Appointment of Commissioners Under Maine Housing Authorities Act.

Emergency preamble. Whereas, public housing projects are extremely vital and necessary if communities of the State are to continue to conduct urban renewal and redevelopment projects; and

Whereas, it is financially impossible to construct public housing projects in the State without the aid of federal funds; and

Whereas, applications for funds for such projects must be made to the Federal Government on or before June 1, 1961 if funds are to be secured before the lapse of the current federal appropriation for such projects; and

Whereas, under the Maine Housing Authorities Act local communities must hold a referendum before applications for such funds can be made to the Federal Government; and

Whereas, the present referendum provisions of this act appear not to be uniform with respect to all communities of the State which could conceivably cause difficulty and bring about delays in making applications to the Federal Government; and

Whereas, it is necessary and desirable that an amendment immediately be made to the Maine Housing Authorities Act so that the referendum provisions contained therein can be clarified and made uniform throughout the State to the end that applications for federal funds will not be delayed by such inconsistency; 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. R. S., c. 93, § 4, amended. The first sentence of section 4 of chapter 93 of the Revised Statutes is repealed and the following enacted in place thereof:

'Each authority shall have 5 commissioners appointed. In the case of a city having a mayor-council form of government, appointment shall be by the mayor with the advice and consent of the council; in the case of a city having a manager-council form of government, appointment shall be by the council; in the case of a town, appointment shall be by the selectmen. No commissioner shall be appointed until the authority is authorized to function as provided in section 3.'

Sec. 2. R. S., c. 93, § 17, amended. The 2nd paragraph of section 17 of chapter 93 of the Revised Statutes, as enacted by section 2 of chapter 351 of the public laws of 1959, is amended to read as follows:

'No authority of any city in excess of 60,000 population shall enter into any contract for loans, grants, contributions or other financial assistance with the Federal Government for any project unless or until a majority of the voters ~~of such city~~, voting in a referendum duly held, have voted in favor of the question: "Do you favor the development of approximately dwelling units of low-rent housing for persons of low income to be constructed in the area, bounded as follows:, within the territorial boundaries of the city for which the housing authority of the city may enter into agreements or contracts with the Federal Government for loans, grants, contributions or other financial assistance?"'

Sec. 3. R. S., c. 93, § 22, amended. The 9th paragraph of section 22 of chapter 93 of the Revised Statutes, which relates to the definition of "mayor", is repealed.

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

Effective April 24, 1961

Chapter 245

AN ACT Relating to Disposition of Income from Out of State Children at Governor Baxter State School for the Deaf.

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

R. S., c. 27, § 165, amended. The last sentence of section 165 of chapter 27 of the Revised Statutes is amended to read as follows:

'All income from this or any other source shall be paid to the Treasurer of State and shall be ~~added to the appropriation for the maintenance of said school~~ credited to the General Fund.'

Effective September 16, 1961

Chapter 246

AN ACT Relating to Examination of Alleged Insane Criminals before Municipal Courts.

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

R. S., c. 146, § 3-A, additional. Chapter 146 of the Revised Statutes is amended by adding a new section 3-A, to read as follows:

'Sec. 3-A. Examination of insane criminals. A municipal court judge may order a person, who is accused of an offense, to be examined by a physician on the same day as the order, to determine whether or not such person is insane. The cost of such examination shall be paid from the treasury of the county in which the municipal court is located.'

Effective September 16, 1961

Chapter 247

AN ACT Relating to Payments to County Law Libraries.

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

R. S., c. 89, § 135, repealed and replaced. Section 135 of chapter 89 of the Revised Statutes, as amended, is repealed and the following enacted in place thereof: