

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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sewage disposal unit and shall contain a notice to remedy the nuisance within 10 days. It shall be signed by the municipal officers and personal service shall be made by one of them or may be served in the same manner as a municipal court process. The municipal officer may likewise serve a tenant or occupant in possession.

III. Return of service. A return of service indicating the method used and the person served shall be made and filed. When service is to be made upon a tenant or occupant, the order shall name such person in addition to the name of the true owner.

IV. Abatement. In the event that the nuisance is not abated within the 10-day period, the municipal officers, or their agents, may enter the premises and cause the malfunction to be adequately remedied. Any actual and direct expenses incurred by a municipality in the abatement of such nuisances may be recovered from the owner by a civil complaint.'

Effective September 16, 1961

Chapter 307

AN ACT Relating to Fees of Clerks of Courts For Entry of Action.

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

R. S., c. 89, § 99, amended. The 4th paragraph of section 99 of chapter 89 of the Revised Statutes is amended to read as follows:

'Entry of an action, or entering up and recording the judgment, ~~whether on a verdict, demurrer, nonsuit or default, \$1~~ \$2.'

Effective September 16, 1961

Chapter 308

AN ACT Relating to Annual Compensation for Superior Court Messenger of Cumberland County.

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

Sec. 1. R. S., c. 89, § 149-A, additional. Chapter 89 of the Revised Statutes is amended by adding a new section 149-A, to read as follows:

'Sec. 149-A. Superior court messenger of Cumberland County. The superior court messenger of Cumberland County shall be appointed by the senior resident Superior Court Justice and shall receive an annual salary of \$4,250 in full compensation for service and attendance.'

Sec. 2. R. S., c. 89, § 150, sub-§ XV, amended. The last sentence of sub-section XV of section 150 of chapter 89 of the Revised Statutes, as enacted by chapter 267 of the public laws of 1955 and amended by section 3 of chapter 328 of the public laws of 1959, is repealed as follows:

~~'The superior court messenger of Cumberland County shall also receive \$11 per day for court vacation time, service and attendance when said service and attendance are authorized by a Justice of the Superior Court.'~~

Effective September 16, 1961

Chapter 309

AN ACT Relating to Public Hearing on Certain Articles in Warrant for Town Meeting.

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

R. S., c. 90-A, § 37, sub-§ IV, amended. Subsection IV of section 37 of chapter 90-A of the Revised Statutes, as enacted by section 1 of chapter 405 of the public laws of 1957, is amended by adding after the first sentence the following:

'If such particular article be placed in the next ballot printed, a public hearing shall be held by the municipal officers on the subject of such article at least 10 days before the day for voting thereon. Notice of such public hearing shall be given by the municipal officers by causing a copy of said proposed article together with the time and place of hearing, to be posted in the same manner required for posting a warrant for a town meeting, at least 7 days before the date set for such hearing, and a return shall be made on the original notice by the municipal officers stating the manner of notice and the time when it was given. The requirement for public hearing shall not be a prerequisite to the valid issuance of any bond, note or other obligation of a municipality authorized to borrow money by vote under any such particular article.'

Effective September 16, 1961

Chapter 310

AN ACT Relating to Criminal Acts Due to Mental Disease.

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

R. S., c. 149, §§ 38-A - 38-B, additional. Chapter 149 of the Revised Statutes is amended by adding 2 new sections to be numbered 38-A and 38-B, to read as follows:

'Mental Responsibility for Criminal Conduct.

Sec. 38-A. Responsibility. An accused is not criminally responsible if his unlawful act was the product of mental disease or mental defect. The terms "mental disease" or "mental defect" do not include an abnormality manifested only by repeated criminal conduct or excessive use of drugs or alcohol.

Sec. 38-B. When acquitted. When the respondent is acquitted on the ground of mental disease or mental defect excluding responsibility, the verdict and the judgment shall so state and the court shall order him to be committed to the