

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 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

custody of the Commissioner of Mental Health and Corrections to be placed in an appropriate institution for the mentally ill for custody, care and treatment.'

Effective September 16, 1961

Chapter 311

AN ACT Relating to Sewage Pollution Surveys.

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

R. S., c. 79, § 7-B, amended. Section 7-B of chapter 79 of the Revised Statutes, as enacted by chapter 294 of the public laws of 1959, is amended to read as follows:

'Sec. 7-B. Pollution surveys. The commission is authorized to pay up to 50%, or \$2,500, whichever is less, of the expenses of a sewage survey for a municipal or quasi-municipal corporation or regional planning commission organized under chapter 90-A, which shall have been approved as to purpose, necessity and priority. Municipalities ~~and~~ quasi-municipal corporations and regional planning commissions are specifically authorized to make such contracts with the State as are deemed necessary and may pay over moneys to the State to carry out the purposes of this section.'

Effective September 16, 1961

Chapter 312

AN ACT Relating to Recording of Conditional Sales.

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

Sec. 1. R. S., c. 119, § 9, amended. The first paragraph of section 9 of chapter 119 of the Revised Statutes is amended to read as follows:

'No agreement that personal property bargained and delivered to another shall remain the property of the seller till paid for is valid unless the same is in writing and signed by the person to be bound thereby; ~~and when~~. When so made and signed, whether said agreement is ~~or is~~ called a note, lease, conditional sale, purchase on installments or by any other name, and in whatever form it may be, it shall not be valid except as between the original parties thereto, unless it or a memorandum thereof is recorded in the office of the clerk of the city, town or plantation organized for any purpose municipality in which the purchaser resides at the time of the purchase; ~~but if any of the purchasers are not residents of the State or reside in an unorganized place in the State, then in the registry of deeds in the county where the seller resides at the time of the sale, within 20 days from the date of sale stated therein, or, when not so stated, then from the date of execution and delivery of the same.~~ When all the purchasers reside without the State, the agreement or a memorandum thereof shall be so recorded in the office of the register of deeds in the registry district where the property is when the sale is made; but if a part of the purchasers reside in the State, then in the municipalities in which such purchasers reside when the sale is made. If any purchaser resides in an unorganized place, the agreement or a memorandum thereof shall be so recorded in the office of the