

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Third Legislature

OF THE

STATE OF MAINE

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this section, a donor, his legal representative, the legal representatives of the custodian or an adult member of the minor's family ~~or the minor, if he has attained the age of 14 years~~ may petition the court for the designation of a successor custodian.

A donor, the legal representative of a donor, a **successor custodian**, an adult member of the minor's family, a guardian of the minor or the minor, if he has attained the age of 14 years, may petition the court that, for cause shown in the petition, the custodian be removed and a successor custodian be designated or, in the alternative, that the custodian be required to give bond for the performance of his duties.

Effective October 7, 1967

Chapter 286

AN ACT Relating to Fees of Witnesses in Criminal Cases.

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

R. S., T. 16, § 251, amended. The first sentence of section 251 of Title 16 of the Revised Statutes is amended to read as follows:

Witnesses in the Supreme Judicial Court, the Superior Court, the District Court or in the probate court, **unless the court shall otherwise order**, shall receive \$5, and before referees, auditors or commissioners specially appointed to take testimony or special commissioners on disputed claims appointed by probate courts, \$5, or before the county commissioners, \$5 for each day's attendance and 8c a mile for each mile's travel going and returning home.

Effective October 7, 1967

Chapter 287

AN ACT Relating to Workmen's Compensation Insurance.

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

R. S., T. 39, § 2, sub-§ 5, amended. Subsection 5 of section 2 of Title 39 of the Revised Statutes is amended to read as follows:

5. Employee. "Employee" shall include officials of the State, counties, cities, towns which have accepted the provisions of this Act, water districts and all other quasi-municipal corporations of a similar character, **every duly elected or appointed executive officer of a private corporation, other than a charitable, religious, education or other nonprofit corporation**, and every person in the service of another under any contract of hire, express or implied, oral or written, except:

A. Persons engaged in maritime employment, or in interstate or foreign commerce, who are within the exclusive jurisdiction of admiralty law or the laws of the United States.

B. Any person whose employment is not in the usual course of the business, profession, trade or occupation of his employer. Policemen and firemen shall be deemed employees within the meaning of this Act. Employees who hire workmen within this State to work outside the State may agree with such workmen that the remedies under this Act shall be exclusive as regards injuries received outside this State by accident arising out of and in the course of such employment; and all contracts of hiring in this State, unless otherwise specified, shall be presumed to include such agreement. Any reference to an employee who has been injured shall, when the employee is dead, include his legal representatives, dependents and other persons to whom compensation may be payable; and

C. Notwithstanding any other provisions of this Act, any charitable, religious, educational or other nonprofit corporation that may be or become an assenting employer under this Act, may cause any duly elected or appointed executive officer to be an employee of such corporation by specifically including such executive officer among those to whom such corporation secures payment of compensation in conformity with subchapter II; and such executive officer shall remain an employee of such corporation under this Act while such payment is so secured. With respect to any such corporation that secures compensation by making a contract of industrial accident insurance, specific inclusion of such executive officer in such contract shall cause such officer to be an employee of such corporation under this Act.

Effective October 7, 1967

Chapter 288

AN ACT Relating to Adult Education.

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

R. S., T. 20, § 858, amended. The first sentence of section 858 of Title 20 of the Revised Statutes is amended to read as follows:

Any administrative unit may, in addition to the sum raised for the support of the public schools, raise and appropriate money for the support of evening schools, day schools, classes and educational activities, which shall admit persons over 16 years of age, who are not in attendance at another public school, and shall be under the direction and supervision of the superintending school committee or school directors, and shall give such courses of instruction as said committee or school directors may determine and furthermore any administrative unit may raise and appropriate money for payment of tuition for residents in attendance at such classes in another administrative unit for courses not offered by the unit of residence.

Effective October 7, 1967