

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Fourth Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Third Legislature
AT THE
SPECIAL SESSIONS

October 2-3, 1967
January 9-26, 1968
September 18, 1968

Chapter 506

AN ACT Relating to Custody of Children Committed to a Center Under Department of Mental Health and Corrections.

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

R. S., T. 15, § 2716, amended. The first paragraph of section 2716 of Title 15 of the Revised Statutes is amended by adding at the end 2 new sentences to read as follows:

When the custody, at the time of commitment, is in the Department of Health and Welfare, such custody shall be temporarily suspended while the child is in a center. Upon termination of custody of the child by the center, by discharge, the custody of the child shall revert to the Department of Health and Welfare if the child is still under 18 years of age.

Effective April 26, 1968

Chapter 507

AN ACT Relating to Display of Buoy Colors on Boats.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after the adjournment of the Legislature unless enacted as emergencies; and

Whereas, the present law requires buoy colors to be displayed on boats used for lobster or crab fishing by either painting on such colors on the boats or using a plaque on the boats; and

Whereas, the following legislation is vitally necessary to prevent undue hardship on those of our Maine citizens who fish for lobsters or crabs; 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., T. 12, § 4405, sub-§ 3, amended. Subsection 3 of section 4405 of Title 12 of the Revised Statutes, as enacted by section 1 of chapter 216 of the public laws of 1967, is amended by adding at the end, a new sentence, as follows:

Notwithstanding any other provision of this section, a person who fishes for lobsters or crabs may display his buoy colors as stated on his lobster and crab fishing license by mounting a buoy at least 12 inches in length with his color scheme thereon on said boat so that it will be clearly visible from each side.

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

Effective January 17, 1968

Chapter 508

AN ACT Relating to Closing the Polls in Elections in Which Electronic Voting System is Used.

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

R. S., T. 21, § 1073, sub-§ 5, repealed and replaced. Subsection 5 of section 1073 of Title 21 of the Revised Statutes, as enacted by chapter 464 of the public laws of 1967, is repealed and the following enacted in place thereof:

5. Closing of the polls. As soon as the polls have been closed and the last qualified voter has voted, all unused ballot cards and records and supplies shall be placed in a container and sealed for return to the clerk. The ballot box shall be opened at the polling place and the write-in votes and absentee ballots counted, and the regular ballot cards separated from the envelopes. The separated ballot cards and envelopes, along with absentee and write-in ballots, shall then be delivered to the counting center for the official counting and recording of all ballots cast.

Effective April 26, 1968

Chapter 509

AN ACT Relating to Survivor Benefit Payments to Children Under State Retirement Law.

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

R. S., T. 5, § 1124, sub-§ 1, ¶ B, sub-¶ (1), divs. (b) and (c), amended. Divisions (b) and (c) of subparagraph (1) of paragraph B of subsection 1 of section 1124 of Title 5 of the Revised Statutes, as amended by section 1 of chapter 29 of the public laws of 1965, are further amended to read as follows:

(b) A spouse, alive and not remarried at the time of the death of the member who has the care of unmarried children of the deceased member under 18 years of age, or **unmarried children of the deceased member under 22 years of age and a full-time student** or any other progeny of the deceased who is considered to be mentally incompetent under the general statutes pertaining thereto, or who is certified to be mentally incompetent by the Medical Board of the Maine State Retirement System, or who is certified