

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Fourth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with
the Revised Statutes of 1964, Title 3, Section 164, Subsection 6.

THE KNOWLTON AND MCLEARY COMPANY
FARMINGTON, MAINE
1969

PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
ONE HUNDRED AND FOURTH LEGISLATURE
1969

precedent to or in connection with its certificate of authority to transact insurance in this State, or any other state or country, and so on deposit immediately prior to the effective date of this Act, shall be given full recognition as fulfillment, to the extent of such deposit, of any deposit so required for similar purposes under this Act. The deposit shall hereafter be held for the purpose applicable thereto as specified in this Act, and shall be subject in all respects to the provisions of this Act applicable to similar deposits newly made under this Act.

Sec. 18. "Chapter" defined. As used in this Act and except as otherwise required by context, "chapter" means a particular numbered chapter of this Act as indicated by context.

Sec. 19. Saving clause. This Act shall not impair or affect any act done, offense committed or right accruing, accrued or acquired, or liability, penalty, forfeiture, or punishment incurred, prior to the time this Act takes effect, but the same may be enjoyed, asserted, enforced, prosecuted or inflicted, as fully and to the same extent as if this Act had not been passed.

Sec. 20. Constitutionality and severability. If any section, subsection, subdivision, paragraph, sentence, part or provision of this Act shall be found to be invalid or ineffective by any court it shall be conclusively presumed that this Act would have been passed by the Legislature without such invalid section, subsection, subdivision, paragraph, sentence, part or provision, and this Act as a whole shall not be declared invalid by reason of the fact that one or more sections, subsections, subdivisions, paragraphs, sentences, parts or provisions may be so found invalid.

Sec. 21. Effective date. Except as otherwise expressly provided the respective provisions of this Act, and this Act, shall be in full force and effect on and after September 1, 1969.

Director's note: Title 24-A of the Revised Statutes was amended by the following 1969 Public Laws:
Chapter 177
Chapter 374
Chapter 402
Chapter 433, sections 59 to 64
Chapter 504, sections 40-A, 55 and 56

Effective October 1, 1969

Chapter 133

AN ACT Relating to Funds and Personal Property of Deceased Patients and Inmates of State Institutions.

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

R. S., T. 34, § 9, amended. The first paragraph of section 9 of Title 34 of the Revised Statutes, as enacted by section 1 of chapter 324 of the public laws of 1967, is amended to read as follows:

If any patient or inmate of any institution under the control of the department shall die, leaving on deposit in his personal account at such institution an amount not exceeding \$500, ~~or leaving in the custody of the head thereof~~

~~any personal property~~ and no executor of his will or administrator of his estate shall be appointed, the head of the institution may pay the balance of his account to the surviving spouse ~~and if none or to his next of kin and if none~~ in accordance with Title 18, section 1001, to the funeral director having any bill outstanding for the burial of the decedent ~~and if none, or if any balance remains after payment thereof, to any~~ or other preferred creditor or creditors who may appear to be entitled thereto, and shall deliver ~~said~~ personal property in his custody to the surviving spouse ~~and if none, to his~~ or next of kin in accordance with Title 18, section 1001, who may appear to be entitled thereto. Such payment or delivery shall not be made until ~~6 months~~ 60 days have elapsed following the date of death of the patient or inmate. For any payment or delivery so made the head of the institution or his designee acting under this section shall not be held liable to the decedent's executor or administrator thereafter appointed, or to his heirs, successors or assigns.

Effective October 1, 1969

Chapter 134

AN ACT Tolling Running of Probation Period Pending Determination of Violation.

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

R. S., T. 34, § 1633, amended. Section 1633 of Title 34 of the Revised Statutes, as amended by section 2 of chapter 45 of the public laws of 1965, is further amended by adding at the end the following new paragraph:

Whenever a probationer is charged by the board with violation of probation under this section, the running of the probation period shall be interrupted from the date of such charge and shall remain interrupted until the probationer is returned to the court. In the event of the withdrawal of the charge by the board, or in the event that the court at the hearing on the alleged violation finds that the probationer did not violate the conditions of his probation, he shall be credited with the time lost by the interruption of the running of his probation period.

Effective October 1, 1969

Chapter 135

AN ACT Relating to Disclosure of Information Concerning Patients at State Hospitals and the Pineland Hospital and Training Center.

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

Sec. 1. R. S., T. 34, § 2159, additional. Title 34 of the Revised Statutes is amended by adding a new section 2159, to read as follows:

§ 2159. Disclosure of information