

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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

Chapter 147

AN ACT Revising Criminal Failure to Support Minor Children.

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

Sec. 1. R. S., T. 19, § 481, repealed and replaced. Section 481 of Title 19 of the Revised Statutes is repealed and the following enacted in place thereof:

§ 481. Criminal failure to support dependents; penalties; conditions

Whoever, being able by means of his or her property or capacity for labor to provide for the necessary support and maintenance of his or her minor child or children under the age of 18 years, without lawful excuse willfully neglects or refuses to provide such support and maintenance, and such neglect or refusal results in such child or children being in destitute or necessitous circumstances, or whoever without lawful excuse, being able by means of his or her property or capacity for labor, willfully neglects or refuses to comply with any existing order made by any court in this or another state pertaining to the support of a minor child or children, which order is in full force and effect, and such neglect or refusal results in said child or children being in destitute or necessitous circumstances, is guilty of failure to support minor children. Any person convicted of this offense, when it is not of a high and aggravated nature, shall be punished by a fine of not more than \$300 or by imprisonment for not more than 11 months, or by both. When the offense is of a high and aggravated nature, the person convicted of such an offense shall be punished by a fine of not more than \$500 or by imprisonment for not more than 2 years, or by both. After conviction, if the court in its discretion either continues the case for sentencing or imposes punishment as provided and suspends its execution, and places the defendant on probation for a specified period of time, as a condition of the defendant's probation, the court may make an order which shall be subject to change by the court from time to time as circumstances may require, directing the defendant to pay to the mother or to the custodian or guardian or to the Department of Health and Welfare for the use of such child or children a certain sum of money weekly. Such an order issued as a condition of probation shall not supersede any previous order of support issued in a divorce or separate maintenance action, but the amounts for a particular period paid pursuant to either order shall be credited against amounts accruing or accrued for the same period under both. When the defendant is released from custody on probation, the court in its discretion may order said defendant to enter into recognizance with sureties in such sum as the court may direct. The condition of the recognizance shall be such that if the defendant shall make his or her personal appearance in court whenever ordered to do so within said period, and shall further comply with the terms of the order and of any subsequent modification thereof, then the recognizance shall be void, otherwise in full force and effect.

The furnishing of aid by any municipality within the State or by the Department of Health and Welfare to or on behalf of any such child or children shall be prima facie evidence of the destitute or necessitous circumstances of such child or children. Courts having jurisdiction in the places of residence of any such child or children or of the responsible parent shall have jurisdiction of the subject matter.

Sec. 2. R. S., T. 19, §§ 482, 484 and 485, repealed. Sections 482, 484 and 485 of Title 19 of the Revised Statutes are repealed.

Effective October 1, 1969

Chapter 148

AN ACT Relating to Definition of Agricultural Societies to Qualify for Stipend.

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

Sec. 1. R. S., T. 7, § 62, sub-§ 2, amended. Subsection 2 of section 62 of Title 7 of the Revised Statutes, as amended by chapter 233 of the public laws of 1965, is further amended by adding at the end, a new sentence, as follows:

The 3-year provisions shall not apply to societies whose annual exhibitions have been interrupted due to eminent domain proceedings or court actions.

Sec. 2. Application. This Act shall apply to the 1969 annual exhibition season and those seasons thereafter, provided that the society commences holding annual exhibitions within 5 years from the date of final determination of eminent domain proceedings or court actions.

Effective October 1, 1969

Chapter 149

AN ACT Revising the Bedding and Upholstered Furniture Law.

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

Sec. 1. R. S., T. 26, § 83, amended. The last sentence of section 83 of Title 26 of the Revised Statutes is repealed, as follows:

~~There shall always be available for the administration of this subchapter state moneys in an amount not less than the revenue derived from the fees collected under this subchapter, except that any unexpended balance shall remain in the General Fund.~~

Sec. 2. R. S., T. 26, § III, repealed and replaced. Section III of Title 26 of the Revised Statutes is repealed and the following enacted in place thereof:

§ III. Registration

Manufacturers or importers of all articles of bedding or upholstered furniture or cushions as defined in section 81, manufactured or imported into this State for sale in this State, shall register with the department on forms provided by the department. The forms shall set forth, among other items, the name and address of the manufacturer or importer, the type of articles manufactured or imported, the composition of the stuffing and such other informa-