

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 FOURTH LEGISLATURE
1969

the parent, next of kin, or guardian of such minor of the need to institute proceedings for appointment of a guardian. In the event no guardian has been appointed, or no guardianship proceedings are pending when such minor has attained age 21, or the institutional or residence facility head shall have determined that nomination of the public guardian is advisable in lieu of petition for guardianship by any of such persons, such institutional or residence facility head shall nominate the public guardian to serve as guardian of such mentally retarded person as provided in this subchapter.

Prior to release of any mentally retarded person from the Pineland Hospital and Training Center, or from any other state-operated institution or residence facility for the mentally retarded, the head thereof shall cause such person to be examined to ascertain whether such person will, by reason of mental retardation, be in need of guardianship upon release from such institution or residence facility, and if in the opinion of such examiner such need will exist upon release, the institutional or residence facility head may advise in writing the parent or next of kin of such mentally retarded person of the need to institute proceedings for appointment of a guardian. If neither the parent nor next of kin is willing to institute proceedings for the appointment of a guardian for such mentally retarded person, or the institutional or residence facility head shall have determined that nomination of the public guardian is advisable in lieu of petition for guardianship by any of such persons, the institutional or residence facility head shall, prior to the release of such mentally retarded person, nominate the public guardian as provided in this subchapter.

§ 3636. Exclusiveness

When the probate court has appointed the public guardian under this subchapter, no other guardian shall be appointed during the continuation of such guardianship.

§ 3637. Consent to autopsy, burial

The public guardian, in the absence of next of kin, may authorize the performance of an autopsy upon the body of any deceased ward. The public guardian, in the absence of next of kin, or in the event the next of kin refuse to assume responsibility therefor, shall cause any deceased ward to be suitably buried and shall have authority to expend funds of the ward for that purpose, and in the event the ward is without funds at the time of death the public guardian shall cause him to be suitably buried at public expense, as in the case of the burial of any other deceased indigent person.

Effective October 1, 1969

Chapter 266

AN ACT Relating to Pecuniary Damages in Actions for Injuries Causing Death of a Minor.

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

R. S., T. 18, § 2552, amended. The last sentence of section 2552 of Title 18 of the Revised Statutes, as amended by chapter 255 of the public laws of 1965 and by chapter 369 of the public laws of 1967, is further amended to read as follows:

The jury may give such damages as they shall deem a fair and just compensation with reference to the pecuniary injuries resulting from such death to the persons for whose benefit such action is brought, and in addition thereto, shall give such damages as will compensate the estate of such deceased person for reasonable expenses of medical, surgical and hospital care and treatment and for reasonable funeral expenses, and in addition thereto, where the deceased was a minor child at the time of the injury which resulted in death, damages not exceeding ~~\$5,000~~ \$10,000 may be recovered on behalf of the parents of said deceased minor for the loss of comfort, society and companionship of said minor, provided such action shall be commenced within 2 years after the death of such person.

Effective October 1, 1969

Chapter 267

AN ACT Relating to Electrician's Licenses.

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

Sec. 1. R. S., T. 32, § 1151, amended. The first sentence of section 1151 of Title 32 of the Revised Statutes, as amended by section 6 of chapter 385 of the public laws of 1965, is further amended to read as follows:

An Electricians Examining Board, as heretofore established, and in this chapter called the "board," shall consist of an executive secretary, who shall be the Insurance Commissioner or a representative ~~from the Insurance Department delegated by the Insurance Commissioner~~ of the State Division of Fire Prevention delegated by the Insurance Commissioner and subject to the approval of a majority of the board and 5 other members, hereinafter called the appointive members who shall be appointed by the Governor with the advice and consent of the Council.

Sec. 1-A. R. S., T. 32, § 1151, amended. Section 1151 of Title 32 of the Revised Statutes, as amended, is further amended by inserting after the first sentence the following new sentence:

Two of said appointive members shall be appointed from a slate at the time of each such appointment of 3 persons nominated by the State Electrical Associates.

Sec. 2. R. S., T. 32, § 1152, amended. Section 1152 of Title 32 of the Revised Statutes is amended by adding at the end the following sentence: