

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 records of the original proprietors of any town or plantation in this State, may deliver the same to the ~~Maine Historical Society~~ or the State Archivist for preservation and safekeeping. The ~~society~~ or the State Archivist shall cause a true copy thereof to be made and certified and the same shall then be filed in the registry of deeds in the county or registry district in which said town or plantation is situated, and be kept there as a public record.

Sec. 15. R. S., T. 33, § 656, amended. The first sentence of section 656 of Title 33 of the Revised Statutes, as amended by section 7 of chapter 441 of the public laws of 1965, is further amended to read as follows:

Whoever, having possession of or owning any such original records, delivers them to the ~~Maine Historical Society~~ or the State Archivist as provided in section 655 shall be paid from the State Treasury the reasonable expenses incurred by him in obtaining possession or becoming the owner thereof, whenever the amount of such expenses shall have been certified to by the ~~Maine Historical Society~~ or the State Archivist and approved by the Governor and Council.

Effective October 1, 1969

Chapter 319

AN ACT Relating to the State Probation and Parole Board.

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

Sec. 1. R. S., T. 15, § 2161, amended. The 2nd and 3rd sentences of section 2161 of Title 15 of the Revised Statutes are amended to read as follows:

If the crime for which said pardon is asked or for which commutation of sentence is sought is punishable by imprisonment in the State Prison, the Attorney General or the county attorney for the county where the case was tried shall, upon the request of the Governor and Council, attend the meeting of the Governor and Council or the Probation and Parole Board at which the petition is to be heard, and the Governor and Council shall allow said county attorney his necessary expenses for such attendance and a reasonable compensation for said county attorney's services to be paid from the State Treasury out of the appropriation for costs in criminal prosecutions. The Governor and Council may require the judge and prosecuting officer who tried the case to furnish them or the Probation and Parole Board a concise statement thereof as proved at the trial and any other facts bearing on the propriety of granting pardon or commutation.

Sec. 2. R. S., T. 34, § 1552, repealed and replaced. Section 1552 of Title 34 of the Revised Statutes is repealed and the following enacted in place thereof:

§ 1552. Powers and duties of the Probation and Parole Board

1. Administration. The board shall, in accordance with applicable provisions of this chapter:

- A. Determine the time of parole in the case of each inmate and prisoner;
- B. Revoke parole when warranted due to parole violation;
- C. Determine the time of discharge of parolees from parole supervision;
- D. The board may formulate policies, adopt regulations and establish organizational and operational procedures pertaining to its functions prescribed in this chapter.

2. Advise; hearings; recommendations. The board shall, when requested by the Governor and Council, advise concerning applications for pardon, reprieve or commutation, and shall, when so requested, hold hearings and cause an investigation to be made, and collect such records concerning the facts and circumstances of an inmate's or prisoner's crime, his past criminal record, social history, and physical and mental condition as may bear on such application, and make recommendations regarding action by the Governor on the application.

3. Reports. The board shall annually, on or before the 30th day of June, transmit to the Director of Corrections a detailed report of its work for the preceding calendar year. The annual report shall be transmitted by the Director of Corrections to the Governor for submission to the Legislature.

4. Subpoenas; oaths. The board, or any member thereof, shall have the power, in the performance of official duties, to issue subpoenas, compel the attendance of witnesses, and the production of books, papers and other documents pertinent to the subject of its inquiry, and to administer oaths and to take the testimony of persons under oath.

Sec. 3. R. S., T. 34, § 1591, repealed and replaced. Section 1591 of Title 34 of the Revised Statutes is repealed and the following enacted in place thereof:

§ 1591. Division of Probation and Parole

The Division of Probation and Parole within the Bureau of Corrections of the Department of Mental Health and Corrections shall be charged with the administration of probation and parole services within the State, except juvenile probation services in Cumberland County. The division shall consist of field probation and parole officers and of such other administrative employees as may be necessary in carrying out its functions.

The Division of Probation and Parole shall be under the direction of the Director of Probation and Parole, in this chapter called the "director," who shall be appointed by the Director of Corrections, subject to the Personnel Law.

The Division of Probation and Parole may provide necessary specialized services and procedures for the constructive rehabilitation of juveniles,

The division in the exercise of its administration may obtain psychiatric, psychological and other necessary services. The division shall provide necessary investigation of any criminal case or matter including presentence investigation when requested by the court having jurisdiction, and shall provide investigation when requested by the board.

Sec. 4. R. S., T. 34, § 1592, repealed and replaced. Section 1592 of Title 34 of the Revised Statutes is repealed and the following enacted in place thereof:

§ 1592. Powers and duties of the director

The director shall:

1. Standards and policies. Establish and administer standards, policies and procedures for the field probation and parole service and institutional parole officers;

2. Appointees. Appoint, subject to the Personnel Law, district probation and parole supervisors, field probation and parole officers and such other employees as may be required to carry out adequate probation and parole supervision of probationers, except juvenile probationers in Cumberland County and of all parolees from the penal and correctional institutions, and prescribe their powers and duties;

3. Cooperation. Cooperate closely with the board, the criminal and juvenile courts, the institutional heads and other institutional personnel;

4. Recommendations; districts. Make recommendations to the board in cases of violation of the conditions of parole, issue warrants for the arrest of parole violators when so instructed by the board; notify the superintendents of the institutions of determinations made by the board. The director shall divide the State into administrative districts and shall staff such districts. He shall provide instruction and training courses for probation and parole officers. The director shall be the executive officer and secretary of the board, and shall have authority to sign documents, including warrants and extradition papers for the board, when so instructed by the board.

Effective October 1, 1969

Chapter 320

AN ACT to Create a Hearing Aid Dealer Board and Provide for Licensing of Hearing Aid Dealers and Fitters.

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

R. S., T. 32, c. 23-A, additional. Title 32 of the Revised Statutes is