

# 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 Fifth 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  
1971

---

---

PUBLIC LAWS  
OF THE  
STATE OF MAINE  
AS PASSED BY THE  
One Hundred and Fifth Legislature  
1971

---

---

## Chapter 28

### AN ACT Repealing Bond for Liquor Licensees of Hotels, Clubs and Restaurants.

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

R. S., T. 28, § 803, repealed. Section 803 of Title 28 of the Revised Statutes is repealed.

Effective September 23, 1971

---

## Chapter 29

### AN ACT Repealing the Requirement of Notarizing Applications for Liquor Licenses.

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

R. S., T. 28, § 251, amended. The 2nd sentence of section 251 of Title 28 of the Revised Statutes is repealed and the following enacted in place thereof:

Intentionally untruthful answers in applications for licenses shall constitute the crime of perjury.

Effective September 23, 1971

---

## Chapter 30

### AN ACT Relating to Mental Illness and Mental Retardation of Persons in State Penal, Correctional and Juvenile Institutions.

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

Sec. 1. R. S., T. 34, § 135, repealed and replaced. Section 135 of Title 34 of the Revised Statutes is repealed and the following enacted in place thereof:

#### § 135. Physical and mental examination of inmates

The department may require a physical and mental examination of persons committed to any state penal or correctional institution or training center for juvenile offenders. It shall designate competent examiners employed by the department or who may be employed by the department to conduct such examinations.

Sec. 2. R. S., T. 34, § 136, repealed. Section 136 of Title 34 of the Revised Statutes is repealed.

Sec. 3. R. S., T. 34, § 136-A, additional. Title 34 of the Revised Statutes is amended by adding a new section 136-A, to read as follows:

§ 136-A. Hospitalization for mental illness and mental retardation of persons in state penal, correctional and juvenile institutions

1. Mentally ill persons over the age of 16 years. When the Warden of the Maine State Prison, Superintendent of the Men's Correctional Center, Women's Correctional Center, Boys Training Center or Stevens School believes that any person 16 years of age or older in any such institution is mentally ill, requiring hospitalization, he shall apply, in writing, for the admission of any such person to either state hospital for the mentally ill giving his reasons therefor. The application shall be accompanied by the certification of a licensed physician that he has examined such person and in his opinion such person is mentally ill and is in need of immediate care and treatment in a mental hospital.

Any such person with respect to whom such application and certification are made may be admitted to either state hospital for the mentally ill. Except as otherwise specifically provided in this subsection, chapter 191, subchapters I and III, except sections 2373 and 2375, shall be applicable to any such person as if the admission of such person were applied for under section 2333.

A copy of the document by which any such person is held in the State Prison, correctional center or juvenile institution shall accompany the application for admission.

If the sentence being served at the time of admission has not expired or commitment has not been terminated in accordance with law at the time any such person is ready for discharge from hospitalization, he shall be returned by the appropriate officers of the State Prison, correctional center or juvenile institution.

If, at the time of expiration of the original sentence or termination of the commitment it is the opinion of the head of the hospital that such patient should remain hospitalized after expiration of sentence, or termination of commitment, such patient may be readmitted to said hospital as a voluntary patient under section 2290 or section 2291, or upon application of the head of the hospital under section 2332 or section 2334.

2. Mentally ill persons under the age of 16 years; mentally retarded persons. When the Warden of the Maine State Prison, Superintendent of the Men's Correctional Center, Women's Correctional Center, Boys Training Center or Stevens School believes that any person under the age of 16 years confined in any such institution is mentally ill requiring hospitalization, he shall apply, in writing, for the admission of any such person to Pineland Hospital and Training Center. Admission shall be effected in accordance with section 2152.

When the Warden of the Maine State Prison, Superintendent of the Men's Correctional Center, Women's Correctional Center, Boys Training Center or Stevens School believes that any person confined in any such institution is mentally retarded and in need of services available at the Pineland Hospital and Training Center and is a proper subject for admission thereto, he shall apply, in writing, for the admission of any such person to the Pineland Hos-

pital and Training Center. Admission shall be effected in accordance with section 2152.

A copy of the document by which any such person is held in the State Prison, correctional center or juvenile institution shall accompany the application for admission.

If the sentence being served at the time of admission has not expired or commitment has not been terminated in accordance with law at the time any such person is ready for discharge from the Pineland Hospital and Training Center, he shall be returned by the appropriate officers of the State Prison, correctional center or juvenile institution.

If, at the time of expiration of the original sentence or termination of the commitment it is the opinion of the Superintendent of the Pineland Hospital and Training Center that such patient should remain in residence at the Pineland Hospital and Training Center after expiration of sentence, or termination of commitment, such patient may be readmitted to the Pineland Hospital and Training Center in accordance with section 2152.

Admission to a hospital under this section shall have no effect upon a sentence then being served or commitment then in effect. Such sentence shall continue to run and any such commitment shall remain in force, unless terminated in accordance with law.

Effective September 23, 1971

---

---

## Chapter 31

### AN ACT Relating to Falsely Assuming to be an Officer.

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

R. S., T. 17, § 1451, repealed and replaced. Section 1451 of Title 17 of the Revised Statutes is repealed and the following enacted in place thereof:

§ 1451. Falsely assuming to be an officer

Whoever falsely assumes to be or impersonates a justice of the peace, notary public, health officer, state humane agent or any law enforcement officer, or who falsely acts as such, or who requires anyone to aid him in a matter pertaining to the duties of any such office which he does not hold, shall be punished by a fine of not more than \$500 or by imprisonment for not more than 11 months, or by both.

Effective September 23, 1971