

# MAINE STATE LEGISLATURE

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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.

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THE KNOWLTON AND MCLEARY COMPANY  
FARMINGTON, MAINE  
1971

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PUBLIC LAWS  
OF THE  
STATE OF MAINE  
AS PASSED BY THE  
One Hundred and Fifth Legislature  
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case of a person admitted to the Regional Care Facility when, in the opinion of the administrator of such facility, withdrawal of such person to the custody of the person making application therefor would be harmful to the severely or profoundly mentally retarded person, the administrator of the Regional Care Facility may petition for a judicial determination of such person's need for continuing residence at the Regional Care Facility as provided in section 2083, within 10 days from the receipt of the request for withdrawal, and in such case, the severely or profoundly mentally retarded person shall remain at the Regional Care Facility until disposition of the matter by the probate court. For the purpose of a judicial proceeding initiated under this section, the probate court for Penobscot County shall have jurisdiction, and residence for the purpose of payment of expenses incident to such proceeding shall be the residence of the severely or the profoundly mentally retarded person at the time of admission to the Regional Care Facility.

The probate court conducting proceedings pursuant to a petition filed under this section may order payment of the expenses of such proceedings by the parent or by the guardian of a severely or profoundly mentally retarded person, upon a determination that the parent or the severely or profoundly mentally retarded person was able to pay such expenses, otherwise the municipality wherein the severely or profoundly mentally retarded person resides shall be chargeable for such expenses.

Effective September 23, 1971

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## Chapter 220

### AN ACT Relating to Amount of Life Insurance for Certain Retired State Employees.

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

R. S., T. 5, § 1151, sub-§ 9 - ¶ A, amended. The 3rd paragraph of paragraph A of subsection 9 of section 1151 of Title 5 of the Revised Statutes is repealed as follows:

~~The average amount of insurance for any employee who retires before he was eligible for 5 years of such coverage shall be determined by adding the amount of coverage he had in each year prior to retirement and dividing by the number of years he was eligible. If he was eligible for coverage less than one year prior to retirement, the amount of coverage shall be equal to the amount in force at the first day he became insured.~~

Effective September 23, 1971

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## Chapter 221

### AN ACT Relating to Tuition for State Wards.

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

R. S., T. 20, § 1293, repealed and replaced. Section 1293 of Title 20 of the Revised Statutes is repealed and the following enacted in place thereof:

## § 1293. Tuition of state wards

Any child between the ages of 5 and 20 assigned to a private home in an administrative unit not maintaining an elementary or secondary school by the Department of Health and Welfare shall have school privileges in the unit to which he is assigned and the unit shall be reimbursed by the Department of Health and Welfare for the net amount expended for tuition as determined by the commissioner. In addition, whenever any child is assigned to an approved private tax-exempt secondary institution, the institution shall be reimbursed for tuition purposes by the Commissioner of Education by an amount equivalent to the per capita state subsidy for pupils residing in the administrative unit in which the institution is located and the balance of the legal tuition charge shall be reimbursed to the institution by the State Department of Health and Welfare. The annual tuition charge for educating such children shall be computed in accordance with section 1292. Payments shall be based on the legal tuition rate for the previous fiscal year. Such reimbursements shall be made prior to December 30th following the close of the school year in June.

Effective September 23, 1971

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## Chapter 222

### AN ACT Relating to Wholesale Purchase of Wine and Malt Beverages by Food Servicing Organizations for International Travel.

**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the State of Maine is actively engaged in the tourist business; and

Whereas, a significant proportion of the tourist trade occurs during the months of May through October; and

Whereas, in order to enhance the services rendered to tourists and to provide substantial revenue to the State of Maine; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1.** R. S., T. 28, § 55, sub-§ 20, additional. Section 55 of Title 28 of the Revised Statutes, as amended, is further amended by adding a new subsection 20, to read as follows:

20. Food servicing organizations. To adopt rules, requirements and regulations permitting food servicing organizations catering to passengers on international flights to purchase wine and malt beverages from wholesale outlets or distributors, providing such wine and malt beverages are resold for consumption during international travel.