

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Sixth Legislature
1ST SPECIAL SESSION
JANUARY 2, 1974 TO MARCH 29, 1974
AND BY THE
One Hundred and Seventh Legislature
REGULAR SESSION
JANUARY 1, 1975 TO JULY 2, 1975

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
1975

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
One Hundred and Sixth Legislature

AT THE
SPECIAL SESSION

January 2, 1974

to

March 29, 1974

Sec. 2. R. S., T. 30, § 5051, sub-§ 5, amended. The 3rd and the 6th sentences of subsection 5 of section 5051 of Title 30 of the Revised Statutes, as enacted by chapter 407 of the public laws of 1973, are amended to read as follows:

The value of the securities so pledged shall be determined by the municipal officers on the basis of ~~book value, par value or~~ market value ~~whichever is lower.~~

The securities shall be held in ~~the~~ a depository institution approved by the municipal officers and pledged to indemnify the municipalities against any loss.

Emergency clause. In view of the emergency cited in the preamble this Act shall take effect when approved.

Effective January 11, 1974

CHAPTER 640

AN ACT Relating to Guardianship of Incapacitated Adults in Need of Protective Service.

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

Sec. 1. R. S., T. 18, § 3638, amended. Section 3638 of Title 18 of the Revised Statutes, as enacted by section 1 of chapter 631 of the public laws of 1973, is amended to read as follows:

§ 3638. Public guardian; Department of Health and Welfare

The ~~Bureau of Social Welfare of the~~ Department of Health and Welfare shall act as public guardian for incapacitated adults as provided in this subchapter and whenever the term "public guardian" is used in this subchapter it shall mean and refer to ~~the Bureau of Social Welfare the~~ Department of Health and Welfare.

Sec. 2. R. S., T. 18, § 3639, amended. The last sentence of section 3639 of Title 18 of the Revised Statutes, as enacted by section 1 of chapter 631 of the public laws of 1973, is amended to read as follows:

The authority of the public guardian shall be exercised by the ~~Director of the Bureau of Social Welfare~~ Commissioner of the Department of Health and Welfare and by any persons duly delegated by said ~~Director of the Bureau of Social Welfare~~ Commissioner of the Department of Health and Welfare to exercise such authority.

Sec. 3. R. S., T. 18, § 3644, amended. The last 2 sentences of the first paragraph of section 3644 of Title 18 of the Revised Statutes, as enacted by

section 1 of chapter 631 of the public laws of 1973, are amended to read as follows:

Like notice in hand, or by certified mail, shall be served upon the ~~Bureau of Social Welfare~~ Department of Health and Welfare, upon the guardian ad litem and upon such other persons as the court may direct. The ~~Bureau of Social Welfare~~ Department of Health and Welfare and the guardian ad litem may waive service.

Effective June 28, 1974

CHAPTER 641

AN ACT Relating to Breaking and Entering, and Larceny of, Trailers and Semitrailers.

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

Sec. 1. R. S., T. 17, § 754, amended. The first sentence of section 754 of Title 17 of the Revised Statutes, as amended by section 2 of chapter 404 of the public laws of 1973, is further amended to read as follows:

Whoever, with intent to commit a felony or any larceny, breaks and enters in the daytime or enters without breaking in the nighttime any dwelling house, or breaks and enters any office, bank, shop, store, warehouse, vessel, railroad car of any kind, motor vehicle, aircraft, trailer or semitrailer as defined in Title 29, house trailer, or building in which valuable things are kept, any person being lawfully therein and put in fear, shall be punished by imprisonment for not less than 6 months nor more than 10 years; but if no person was lawfully therein and put in fear, by imprisonment for not less than 6 months nor more than 5 years or by a fine of not more than \$500.

Sec. 2. R. S., T. 17, § 2103, amended. Section 2103 of Title 17 of the Revised Statutes, as amended by chapter 77 of the public laws of 1967, is further amended to read as follows:

§ 2103. Larceny of dwelling house by night or breaking and entering

Whoever, without breaking, commits larceny in the nighttime in a dwelling house or building adjoining and occupied therewith, or breaks and enters any office, bank, shop, store, warehouse, barn, stable, house trailer, mobile home, inhabitable camp trailer, vessel, trailer or semitrailer as defined in Title 29, railroad car of any kind, courthouse, jail, meetinghouse, college, academy or other building for public use or in which valuable things are kept, and commits larceny therein, shall be punished by imprisonment for not more than 15 years; and when the offense is committed in the daytime, by a fine of not more than \$1,000 or by imprisonment for not more than 6 years.

Effective June 28, 1974