

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

One Hundred and Seventh Legislature

AT THE

1ST SPECIAL SESSION

JANUARY 19, 1976 TO APRIL 29, 1976

AND

2ND SPECIAL SESSION

JUNE 14, 1976

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 164, SUBSECTION 6.

PORTLAND LITHOGRAPH COMPANY
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PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
One Hundred and Seventh Legislature
AT THE FIRST SPECIAL SESSION
January 19, 1976 to April 29, 1976
AND THE SECOND SPECIAL SESSION
June 14, 1976

Supplementary to the Acts and Resolves of the Regular Session

[supplied from page 3097 of volume]

4. **Ward.** The term "ward" means a person for whom the bureau has been duly appointed guardian pursuant to Title 18, chapter 501, subchapter III-A.

§ 2067. **Responsibility and role of bureau**

1. **Responsibility.** The bureau is authorized to respond to complaints concerning and requests for assistance from or on behalf of all incapacitated persons. Services provided by the bureau shall be protective or supportive in nature.

2. **Role.** The role of the bureau shall be primarily that of supervision and coordination.

3. **Acquiescence and consultation.** With the exception of seeking the appointment of a guardian, protective or supportive services shall be initiated only:

A. With the acquiescence of the incapacitated person; and

B. After consultation, insofar as possible, with the family or the guardian of the incapacitated person.

§ 2068. **Payment for services**

The bureau may pay for protective and supportive services to incapacitated persons from its own resources by mobilizing available community resources or by purchase of services from voluntary or state agencies.

To the extent that assets are available to incapacitated persons or wards, the cost of services shall be borne by the estate of persons receiving the services.

§ 2069. **Rules**

1. **Rules promulgated.** The bureau shall promulgate rules for the administration of sections 2065 to 2068.

2. **Public hearing.** The bureau shall hold a public hearing prior to adopting these rules. Notice of the public hearing shall be published once, within 14 to 30 days before the hearing, in the state paper and in other newspapers or journals of general circulation adequate to provide reasonable notice to the public affected thereby.

3. **Rules amended or repealed.** Rules may be amended or repealed at any time by the bureau after like notice and hearing of the portions amended or repealed.

Effective July 29, 1976

CHAPTER 748

AN ACT Relating to Costs in Contested Cases and Depositions
in Probate Court.

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

18 MRSA § 551 is repealed and the following enacted in place thereof:

§ 551. Costs in contested cases in probate court

In all contested cases in the original or appellate court of probate, costs may be allowed to either party, including reasonable witness fees, cost of depositions, hospital records or medical reports and attorney's fees, to be paid to either or both parties, out of the estate in controversy, as justice requires, provided that in those cases where a will is being contested on the grounds of undue influence or mental capacity, counsel fees and costs shall not be allowed if the party contesting the will is unsuccessful.

Depositions may be taken in probate court by either party as in any other court in this State. Parties may also serve interrogatories upon each other and the procedure in both instances shall be governed by the provisions of the Maine Rules of Civil Procedure for discovery generally.

Effective July 29, 1976

CHAPTER 749

AN ACT Concerning the Workmen's Compensation Statutes.

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

Sec. 1. 39 MRSA § 2, sub-§ 1, as amended by PL 1973, c. 746, § 1, is repealed and the following enacted in place thereof:

1. Employer. The term "employer" includes:
 - A. Private employers;
 - B. The State;
 - C. Counties;
 - D. Cities;
 - E. Towns; and
 - F. Water districts and all other quasi-public corporations of a similar nature.

If the employer is insured, the term "employer" includes the insurer unless the contrary intent is apparent from the context or is inconsistent with the purposes of this Act.