

# MAINE STATE LEGISLATURE

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LAWS  
OF THE  
STATE OF MAINE  
AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE

FIRST REGULAR SESSION

January 5, 1977 to July 25, 1977

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

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PORTLAND LITHOGRAPH COMPANY  
PORTLAND, MAINE  
1977

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PUBLIC LAWS  
OF THE  
**STATE OF MAINE**

AS PASSED AT THE  
**FIRST REGULAR SESSION**

of the  
ONE HUNDRED AND EIGHTH LEGISLATURE

1977

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

**Sec. 1.** 20 MRSA § 3747, 1st sentence, as enacted by PL 1975, c. 660, § 2, is amended to read:

The Legislature shall annually, prior to April ~~1st~~ 14th enact legislation which shall:

**Sec. 2.** 20 MRSA § 3754, first and last sentences, as enacted by PL 1977, c. 10, are amended to read:

Notwithstanding any provisions of statute or charter to the contrary, municipalities, School Administrative Districts and community school districts may adopt their respective annual budgets at any time prior to May ~~7~~, 15, 1977.

If a municipal charter provides that a budget proposed by a municipal official or body becomes effective when the municipal legislative body fails to adopt a budget by a specified date or within a specified period of time and that date falls prior to ~~May 1st~~ May 15th that date shall be governed by the provisions of this section for the calendar year 1977.

**Sec. 3.** 36 MRSA § 451, sub-§ 2, 2nd sentence, as repealed and replaced by PL 1975, c. 660, § 5, is amended to read:

The Legislature shall annually, prior to April ~~1st~~ 14th, enact legislation establishing the uniform property tax rate.

**Sec. 4.** 36 MRSA § 452, 2nd ¶, 1st sentence, as repealed and replaced by PL 1975, c. 660, § 5, is amended to read:

As soon as practicable after April ~~1st~~ 14th annually, the State Tax Assessor shall certify to each municipality the amount of state tax due under section 451 in the current calendar year.

**Sec. 5.** 36 MRSA § 709-B, is enacted to read:

§ 709-B. Extension of commitment time limit for 1977

Notwithstanding the provisions of Title 36, section 709, during 1977, the assessors shall not commit any municipal taxes, nor their due portion of any state or county tax payable during the municipal year for which municipal taxes are being raised, until on or after May 1st, 1977.

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

Effective March 31, 1977

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## CHAPTER 49

AN ACT Relating to Powers of District Court Judges to Order Persons Produced for Trial.

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

15 MRSA § 7 is amended to read:

§ 7. Removal of persons charged with crime in 2 counties

When a person is imprisoned or held under arrest in one county, a judge of the District Court or any Justice of the Superior Court, ~~in term time or vacation~~ whichever court has jurisdiction over the matter to be heard, may order his removal into another county, when complaint has been made and warrant issued or an indictment has been found, charging the person so arrested or imprisoned with the commission of a crime in such other county, for examination or trial under said complaint or indictment; but, before issuing such order, he shall be satisfied that the administration of speedy and impartial justice requires it.

Effective October 24, 1977

## CHAPTER 50

### AN ACT to Expand Protective Services to Mentally Retarded Individuals.

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

Whereas, a recent Attorney General's opinion has noted that the Department of Mental Health and Corrections currently does not have the right to serve in the capacity of representative payee for mentally retarded individuals in the community; and

Whereas, there are at least 500 mentally retarded individuals in communities of the State who could benefit from this service; and

Whereas, the Department of Mental Health and Corrections has had difficulty locating individuals in the several communities of the State to serve as representative payee; 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:*

34 MRSA § 2066, sub-§ 2, as enacted by PL 1975, c. 747, § 3, is amended by inserting after the 2nd sentence the following:

The Department of Mental Health and Corrections, through the Bureau of Mental Retardation and its other agents, is authorized to receive as payee any