

# 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**  
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**FIRST REGULAR SESSION**  
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ONE HUNDRED AND EIGHTH LEGISLATURE  
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*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

benefits from social security, veterans administration, railroad retirement or any other like benefits paid on behalf of any mentally retarded individual, and shall apply such benefits toward the care and treatment of any such mentally retarded individual.

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

Effective April 6, 1977

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## CHAPTER 51

### AN ACT Pertaining to Hospital Liens.

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

10 MRSA § 3414, last sentence, as enacted by PL 1967, c. 373, is repealed and the following enacted in its place:

The clerk shall make a proper index of the same in the name of the injured person and such clerk shall be entitled to be paid a fee of \$5 by the lien claimant for such filing, which shall be prepaid.

Effective October 24, 1977

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## CHAPTER 52

### AN ACT to Improve the Viability and Efficiency of Local Conservation Commissions.

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

Sec. 1. 30 MRSA § 3851, first 2 sentences, as repealed and replaced by PL 1969, c. 394, § 3-A, are repealed and the following enacted in their places:

Municipalities may establish conservation commissions. The municipal officers may appoint not less than 3, nor more than 7 conservation commissioners. The terms of office initially shall be one, 2 and 3 years, such that the terms of approximately  $\frac{1}{3}$  of the members shall expire each year, or until the appointment of their successors, and their successors shall be appointed for terms of 3 years each. Any commissioner presently serving a term greater than 3 years may serve until his term expires. The appointment of his successor shall be for a term of 3 years.