

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

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PUBLIC LAWS
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it shall so state in the record. If the District Court makes the findings described in subparagraphs (1) and (2), but is not satisfied with the individual treatment plan as offered, it may continue the case for not longer than 10 days pending reconsideration and resubmission of an individual treatment plan by the hospital.

6. **Commitment.** Upon making the findings described in subsection 5, the court may order commitment of the patient, as provided in this subsection.

A. The court may order a commitment to a mental hospital for a period not to exceed 4 months in the first instance and not to exceed one year after the first and all subsequent rehearings.

B. The court may issue an order of commitment immediately after the completion of the hearing, or it may take the matter under advisement and issue an order within 24 hours of the hearing.

C. If the court does not issue an order of commitment within 24 hours of the completion of the hearing, it shall dismiss the application and the patient shall be ordered discharged forthwith.

7. **Continued involuntary hospitalization.** If the head of the hospital determines that continued involuntary hospitalization is necessary for a patient who has been ordered by the District Court to be committed, he shall, not later than 30 days prior to the expiration of a period of commitment ordered by the court, make application in accordance with this section to the District Court which has territorial jurisdiction where the hospital is located for a hearing to be held pursuant to this section.

8. **Transportation to hospital.** Unless otherwise directed by the court, it shall be the responsibility of the sheriff of the county in which the District Court has jurisdiction and in which the hearing takes place to provide transportation to any hospital to which the court has committed the patient.

With the exception of expenses incurred by the applicant pursuant to subsection 4, paragraph F, the District Court shall be responsible for any expenses incurred under this section, including fees of appointed counsel, witness and notice fees and expenses of transportation for the patient.

9. **Appeals.** A person ordered by the District Court to be committed to a hospital may appeal from that order to the Superior Court. The appeal shall be on questions of law only. Any findings of fact of the District Court shall not be set aside unless clearly erroneous. The order of the District Court shall remain in effect pending the appeal. The District Court Civil Rules of Procedure and the Maine Rules of Civil Procedure shall apply to the conduct of such appeals, except as otherwise specified in this subsection.

Effective October 24, 1977

CHAPTER 430

AN ACT Concerning Registration on Election Day.

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

Sec. 1. 21 MRSA § 631, as last amended by PL 1973, c. 782, § 8, is repealed and the following enacted in its place:

§ 631. Schedule; regular election

1. Regular election. The registrar shall accept registrations at a regular election according to the schedule prescribed by this section.

2. Names to be placed on voting list.

A. In a municipality of 2,500 or less population, he shall accept registrations during the time prescribed by the municipal officers on at least one business day during the week before election day. The names of such voters shall be placed on the voting list.

The registrar shall accept the registrations of applicants who appear in person on the business day next prior to election day. The names of such voters shall be recorded as provided in subsection 3.

B. In a municipality of 2,501 to 5,000 population, the registrar shall accept registrations from 1 to 5 p.m. and from 7 to 9 p.m. on the 4th to 6th business days next prior to election day. The names of such voters shall be placed on the voting list.

The registrar shall accept the registrations of applicants who appear in person on the 3 business days next prior to election day. The names of such voters shall be recorded as provided in subsection 3.

C. In a municipality of 5,001 to 10,000 population, the registrar shall accept registrations from 1 to 5 p.m. and from 7 to 9 p.m. on the 6th to 10th business days next prior to election day. The names of such voters shall be placed on the voting list.

The registrar shall accept the registrations of applicants who appear in person on the 5 business days next prior to election day. The names of such voters shall be recorded as provided in subsection 3.

D. In a municipality of 10,001 to 24,000 population, the registrar shall accept registrations from 1 to 5 p.m. and from 7 to 9 p.m. on the 8th to 14th business days next prior to election day. The names of such voters shall be placed on the voting list.

The registrar shall accept the registrations of applicants who appear in person on the 7 business days next prior to election day. The names of such voters shall be recorded as provided in subsection 3.

E. In a municipality of 24,001 or more population, the registrar shall accept registrations from 1 to 5 p.m. and from 7 to 9 p.m. on the 10th to 18th business days next prior to election day. The names of such voters shall be placed on the voting list.

The registrar shall accept the registrations of applicants who appear in

person on the 9 business days next prior to election day. The names of such voters shall be recorded as provided in subsection 3.

3. Registrations in person. The names of voters who register by appearing in person before the registrar during the business days before election day as provided in subsection 2 shall be recorded as provided in either paragraph A or paragraph B, as the municipal officers shall direct.

A. The registrar shall, after finding an applicant qualified, issue a certificate entitling the applicant to be placed on the voting list at the voting place on election day. Only one such certificate may be issued to any person.

B. As an alternative to the method provided in paragraph A, the registrar shall, after finding an applicant qualified, place the names of such voters on a supplemental voting list. Prior to the opening of the polls, the registrar shall forward the supplemental list or lists to the clerk or ward clerk at each voting place. The inclusion of a person's name on that list will entitle the applicant to vote on election day. All references in this Title to the use of the voting list before, during and after election day shall be deemed to include the supplemental voting list as provided in this paragraph.

4. Election day registration. The registrar shall accept registrations of applicants who appear in person on election day. The registrar shall issue to each such applicant a certificate entitling the applicant to be placed on the voting list at the voting place. Only one such certificate may be issued to any person.

Sec. 2. 21 MRSA § 632, as last amended by PL 1973, c. 414, §§ 27 and 28, is repealed and the following enacted in its place:

§ 632. Schedule; special elections

1. Special election. The registrar shall accept registrations at a special election according to the schedule prescribed by this section.

2. Municipality of 2,500 or less. In a municipality of 2,500 or less population, the registrar shall accept the registrations of applicants who appear in person on the business day next prior to election day. The names of such voters shall be recorded as provided in subsection 4.

3. Municipality of more than 2,500. In a municipality of 2,500 or more population, the registrar shall accept registrations during the time prescribed by the municipal officers on the 2nd and 3rd business days next prior to election day.

The registrar shall accept the registrations of applicants who appear in person on the business day next prior to election day. The names of such voters shall be recorded as provided in subsection 4.

4. Registrations in person. The names of voters who register by appearing in person before the business day next prior to election day shall be recorded as provided in section 631, subsection 3, according to the method chosen by the municipal officers.

5. Election day registration. The registrar shall accept registrations of

applicants who appear in person on election day. The registrar shall issue to each such applicant a certificate entitling the applicant to be placed on the voting list at the voting place. Only one such certificate may be issued to any person.

Sec. 3. 21 MRSA § 637, as amended by PL 1971, c. 173, is further amended to read:

§ 637. Registrar to check records

Before the close of ~~registrations~~ the period for accepting the registrations of voters to be placed on the voting list prior to any election, the registrar shall review the records of marriage, death, change of name and change of address in the office of the clerk or the assessors, and shall correct the voting list accordingly. In lieu of examining the records in the custody of the clerk, the clerk may provide the registrar with a list, certified by the clerk to be true, of the marriages, deaths and changes which took place during the 2 years next prior to the close of the ~~registrations~~ period for accepting the registrations of voters to be placed on the voting list.

Effective October 24, 1977

CHAPTER 431

AN ACT to Clarify and Reform the Laws Relating to County Law Enforcement.

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

Sec. 1. 28 MRSA § 1151, 1st sentence, as amended by PL 1973, c. 567, § 20, is further amended to read:

Sheriffs and their deputies and district attorneys shall diligently and faithfully inquire into all violations of law within their respective counties and institute proceedings in case of violations or supposed violations of law; ~~and particularly the law against the illegal sale of liquor, gambling houses or places and houses of ill fame~~ except sheriffs and their deputies shall only be required to perform specific law enforcement functions throughout the county as provided under Title 30, chapter 1.

Sec. 2. 30 MRSA § 853 is enacted to read:

§ 853. Definitions

For the purposes of this subchapter, the following words shall have the following meanings, unless the context indicates otherwise.

1. Deputy. "Deputy" shall mean either a full-time or part-time county law enforcement officer appointed under section 951.