

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND TENTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 1980 to June 19, 1981

AND AT THE

FIRST SPECIAL SESSION
August 3, 1981

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PUBLIC LAWS
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Sec. 5. 30 MRSA § 2, sub-§ 4, ¶ B, first ¶, as enacted by PL 1977, c. 67, § 3, is amended to read:

All fees and charges of whatever nature which may be payable to any deputy sheriff shall be payable by him to the county treasurer **by the 15th day of every month following the month in which they were collected** for the use and benefit of the county, except that deputies not on a salary or per diem basis may receive and retain fees for the service of criminal or civil process.

Sec. 6. 33 MRSA § 604, 2nd ¶, 3rd sentence, is amended to read:

They shall account ~~quarterly~~ **monthly** under oath to the county treasurers for all fees received by them or payable to them by virtue of the office, specifying the items, and shall pay the whole amount of the same to the treasurers of their respective counties ~~quarterly on monthly by the 15th days of January, April, July and October of each year~~ **day of the following month.**

Effective September 18, 1981

CHAPTER 41

H. P. 154 — L. D. 178

AN ACT to Coordinate and Assign the Responsibility for Conducting Air Search and Rescue Operations in the State Arising from Aeronautical Activities.

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

6 MRSA § 303, as enacted by PL 1977, c. 678, § 48, is repealed and the following enacted in its place:

§ 303. Air search procedures

1. Agreements. The commissioner may establish agreements with public or private agencies or organizations to assist in air search operations.

2. Situations covered. The commissioner shall establish and maintain a state air search and rescue plan for the immediate handling of the following emergency situations arising from aeronautical activities:

A. Locating aircraft believed lost and down within the State; and

B. Locating persons who are believed lost and down in the State as a result of accidents involving aircraft overflying the State or parachute jumps.

3. **Plan of action.** The state air search and rescue plan shall provide a plan of action for search and rescue which will mobilize all state agencies which can contribute in those emergencies, in accordance with agreements reached in advance and which relies upon the Maine Wing Civil Air Patrol to coordinate and control specific air search operations. The plan shall provide that its first objective shall be saving human life and rendering prompt aid to survivors.

4. **Authority.** The Commissioner shall have the responsibility and authority in providing for the execution and overall coordination of air search and rescue efforts initiated in support of the plan by those state agencies which can contribute in those emergencies.

Effective September 18, 1981

CHAPTER 42

H. P. 175 — L. D. 224

AN ACT to Amend the Statutes Relating to the Developmental Disabilities Council.

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

Sec. 1. 34 MRSA § 13 is enacted to read:

§ 13. State Planning and Advisory Council on Developmental Disabilities

1. **Council established.** The Governor shall establish a State Planning and Advisory Council on Developmental Disabilities and appoint appropriate representatives as are required as a condition of eligibility for benefits under "Amendments to the Developmental Disabilities Services and Facilities Construction Act of 1978," United States P.L. 95-602, 42 United States Code, section 6000 et seq., but also ensuring that there is at least one representative from each of the regions established by the Department of Mental Health and Corrections. Regional representatives shall not be in addition to those required by PL 95-602. This council shall consult and coordinate with the Commissioner of Mental Health and Corrections in carrying out the purposes of the program.

2. **Sole administering agency; powers.** Except where a single state agency is otherwise designated or established in accordance with any other state law, the department is designated to be the sole agency of the State to develop jointly the statewide plan with the council and to be the sole administering agency for that plan, which plan is now or may hereafter be required as a condition to the eligibility for benefits pursuant to the provisions of the Federal Act specified in subsection 1. The department is also authorized to receive, administer and expend