

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
ONE HUNDRED AND ELEVENTH LEGISLATURE

**FIRST REGULAR SESSION**  
December 1, 1982 to June 24, 1983  
Chapters 1-452

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

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J.S. McCarthy Co., Inc.  
Augusta, Maine  
1983

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

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## CHAPTER 72

H.P. 325 - L.D. 384

### AN ACT to Expand the Authority of Probate Judges to Appoint Temporary Guardians.

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

18-A MRSA §5-310, as enacted by PL 1979, c. 540, §1, is amended to read:

#### §5-310. Temporary guardians

If an incapacitated person has no guardian and an emergency exists, the court may exercise the power of a guardian or may appoint a temporary guardian pending notice and hearing. If an appointed guardian is not effectively performing his duties and the court further finds that the welfare of the incapacitated person requires immediate action, it may, with or without notice, appoint a temporary guardian for the incapacitated person for a specified period not to exceed 6 months. A temporary guardian is entitled to the care and custody of the ward and the authority of any permanent guardian previously appointed by the court is suspended so long as a temporary guardian has authority. A temporary guardian shall not seek the involuntary hospitalization of his ward in any institution outside this State. A temporary guardian may be removed at any time. A temporary guardian shall make any report the court requires. In other respects the provisions of this code concerning guardians apply to temporary guardians.

Effective September 23, 1983.

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## CHAPTER 73

H.P. 560 - L.D. 710

### AN ACT to Authorize a July 1st to June 30th Fiscal Year for Counties.

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

30 MRSA §252-A is enacted to read:

§252-A. Alternative fiscal year

The county commissioners of a county may adopt a July 1st to June 30th fiscal year. A county may raise one or 2 taxes during a single valuation, if the taxes raised are based on appropriations made for a county fiscal year that does not exceed 18 months. A county fiscal year may extend beyond the end of the current tax year. The county commissioners of a county, when changing the county's fiscal year, may for transition purposes adopt one or more fiscal years not longer than 18 months each.

Effective September 23, 1983.

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## CHAPTER 74

S.P. 117 - L.D. 295

AN ACT Concerning Fees Charged by  
Sheriffs and Deputies for Service of  
Certain Documents.

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

Sec. 1. 30 MRSA §1051, sub-§1, as amended by PL 1981, c. 99, is further amended to read:

1. Civil process. For service of all writs or complaints with summons, precepts, notices, executions, court orders, orders of service, copies and all other civil process or papers requiring service which are not specifically hereinafter enumerated, they shall receive therefor \$4 for each such service and \$8 if such service is ~~required~~ to be made in hand;

Sec. 2. 30 MRSA §1051, sub-§2, as repealed and replaced by PL 1971, c. 622, §95, is amended to read:

2. Disclosure subpoena. For the service of disclosure subpoena as provided by Title 14, chapter 502, §5 ~~§8~~;

Sec. 3. 30 MRSA §1051, sub-§3 is amended to read:

3. Complaint for divorce. For the service of complaint for divorce with writ of attachment by serving summons and attested copy of writ and com-