

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1984 to June 20, 1985

Chapters 1-384

PUBLISHED BY THE REVISOR OF STATUTES IN ACCORDANCE WITH
MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 163-A,
SUBSECTION 4.

J.S. McCarthy Co., Inc.
Augusta, Maine
1986

PUBLIC LAWS
OF THE
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1985

8. Receipt of United States prisoners. The commissioner's power to accept United States prisoners is as follows:

A. The commissioner may receive in any correctional facility prisoners detained by the United States or convicted of an offense against the United States and committed for a term of imprisonment in excess of one year to the custody of the Attorney General of the United States if:

(1) The Attorney General of the United States designates a Maine correctional facility as the place of confinement for the prisoner; and

(2) The commissioner approves and agrees to accept the prisoner to be kept in a Maine correctional facility in pursuance of his sentence.

B. The commissioner may contract with the Attorney General of the United States or such officer as the Congress may designate for the care, custody, subsistence, education, treatment and training of any prisoner accepted under this section. All sums paid pursuant to contracts authorized by this section shall accrue to the General Fund.

Sec. 2. 34-A MRSA §3262, as enacted by PL 1983, c. 459, §6, is repealed.

Effective September 19, 1985.

CHAPTER 68

S.P. 125 - L.D. 365

AN ACT to Amend the Statute Providing for the
Appointment of Clerks of Judicial
Courts.

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

Sec. 1. 4 MRSA §551, as amended by PL 1983, c. 131, §2, is further amended to read:

§551. Clerks of the judicial courts, clerical assistants; appointments; compensation

For each county, or if the Supreme Judicial Court shall have by rule established judicial regions, for each judicial region, and ~~for the office of the Chief Justice of the Supreme Judicial Court,~~ the Chief Justice of the Superior Court shall appoint such clerks as may be necessary to serve the ~~Supreme Judicial Court and the Superior Court.~~ If the business of any county or judicial region does not require the full-time service of a clerk, the Chief Justice of the Superior Court may appoint a part-time clerk for such county or region. Whenever a clerk is absent or temporarily unable to perform ~~his~~ the duties as of clerk and an existing or immediate session of the court renders it necessary, the Chief Justice of the Superior Court may designate a clerk pro tempore who shall have the same powers and duties as the clerk. The clerks of the Superior Court shall also serve in their respective counties or judicial regions as clerks of the Supreme Judicial Court as needed.

Sec. 2. 4 MRSA §554, as repealed and replaced by PL 1975, c. 735, §10, is amended to read:

§554. Accounting by clerks

Clerks of judicial courts shall account quarterly under oath to the State Auditor for all fees received by them or payable to them by virtue of their office, except those portions of fees collected for passports and naturalization proceedings which are payable to the United States Government, specifying the items, and shall pay the whole amount of the same to the Treasurer of State at such times and in such manner as the Chief Justice of the Superior Court or his designee shall from time to time specify.

Sec. 3. 4 MRSA §565 is amended to read:

§565. Examination and correction of records

The Chief Justice of the ~~Supreme Judicial Superior~~ Court may cause the records of each clerk to be examined and when found deficient, direct them to be immediately made or corrected, and when such order is not obeyed, the fact of such deficiency shall be certified to the Treasurer of State, who shall cause the clerk's bond to be sued.

Sec. 4. 4 MRSA §570 is enacted to read:

§570. Executive Clerk of the Supreme Judicial Court

The Chief Justice of the Supreme Judicial Court shall appoint an executive clerk of that court, whose authority, functions and duties shall be prescribed from time to time by the Supreme Judicial Court by rule or administrative order. The executive clerk of the Supreme Judicial Court may administer oaths and may sign and issue summonses, writs and other process in the name of the State and under the seal of the court.

Effective September 19, 1985.

CHAPTER 69

S.P. 99 - L.D. 297

AN ACT Relating to the Time of Penobscot Nation Trust Land Acquisition.

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

Sec. 1. 30 MRSA §6205, sub-§2, ¶B, as amended by PL 1983, c. 676, §§1 and 2, is further amended to read:

B. The first 150,000 acres of land acquired by the secretary for the benefit of the Penobscot Nation from the following areas or lands to the extent that those lands are acquired by the secretary prior to January 1, ~~1986~~ 1987, are not held in common with any other person or entity and are certified by the secretary by January 1, ~~1986~~ 1987, as held for the Penobscot Nation:

The lands of Great Northern Nekoosa Corporation located in T.1, R.8, W.B.K.P. (Lowelltown), T.6, R.1, N.B.K.P. (Holeb), T.2, R.10, W.E.L.S. and T.2, R.9, W.E.L.S.; the land of Raymidga Company located in T.1, R.5, W.B.K.P. (Jim Pond), T.4, R.5, B.K.P.W.K.R. (King and Bartlett), T.5, R.6, B.K.P.W.K.R. and T.3, R.5, B.K.P.W.K.R.; the land of the heirs of David Pingree located in T.6, R.8, W.E.L.S.; any portion of Sugar Island in Moosehead Lake; the lands of Prentiss and Carlisle Company located in T.9, S.D.; any portion of T.24, M.D.B.P.P.; the lands of Bertram C. Tackeff or Northeastern Blueberry Company, Inc.