

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Fifth Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Fifth Legislature
1971

Chapter 528

AN ACT Relating to Probation of Juveniles in Cumberland County.

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

Sec. 1. R. S., T. 15, § 2606, amended. The 5th sentence of section 2606 of Title 15 of the Revised Statutes is amended to read as follows:

The juvenile court record may be used by the state probation-parole officers ~~the Cumberland County Juvenile Probation Department~~ or other correctional, enforcement or welfare authorities as a matter of course.

Sec. 2. R. S., T. 15, § 2607, amended. Section 2607 of Title 15 of the Revised Statutes is amended to read as follows:

§ 2607. Notice when juvenile arrested

When a juvenile is arrested, the arresting officer shall notify, as soon as reasonably possible under all the circumstances, the parent or parents, legal guardian or other person having control of said juvenile, as well as the State Probation and Parole Board or its representatives ~~except that in Cumberland County notification shall be given to the Cumberland County Probation Department, of the fact of the juvenile's arrest and of the time and place of the filing of the petition pursuant to section 2601.~~

Sec. 3. R. S., T. 15, § 2611, sub-§ 4, ¶ D, amended. Paragraph D of subsection 4 of section 2611 of Title 15 of the Revised Statutes is amended to read as follows:

D. Commit to the custody and control of the State Probation and Parole Board ~~except that in Cumberland County the court shall commit to the custody and control of the County Juvenile Probation Department;~~

Sec. 4. R. S., T. 34, § 1591, amended. The first sentence of section 1591 of Title 34 of the Revised Statutes, as repealed and replaced by section 3 of chapter 319 of the public laws of 1969, is amended to read as follows:

The Division of Probation and Parole within the Bureau of Corrections of the Department of Mental Health and Corrections shall be charged with the administration of probation and parole services within the State ~~except juvenile probation services in Cumberland County.~~

Sec. 5. R. S., T. 34, § 1592, sub-§ 2, amended. Subsection 2 of section 1592 of Title 34 of the Revised Statutes, as repealed and replaced by section 4 of chapter 319 of the public laws of 1969, is amended to read as follows:

2. **Appointees.** Appoint, subject to the Personnel Law, district probation and parole supervisors, field probation and parole officers and such other employees as may be required to carry out adequate ~~probation and parole~~ supervision of all probationers, ~~except juvenile probationers in Cumberland County~~ and of all parolees from the penal and correctional institutions, and prescribe their powers and duties;

Sec. 6. R. S., T. 34, § 1635, repealed. Section 1635 of Title 34 of the Revised Statutes is repealed.

Sec. 7. P. L., 1957, c. 387, §§ 34-A - 34-J, repealed. Sections 34-A to 34-J of chapter 387 of the public laws of 1957 are repealed.

Sec. 8. Transfer of records and supervision, employment. This Act shall become effective on July 1, 1973 on which date all records of the Cumberland County Juvenile Probation Department shall transfer to the control of the State Division of Probation and Parole and all juvenile probationers under supervision of the Cumberland County Juvenile Probation Department shall come under the supervision of the State Division of Probation and Parole.

All matters in process by the Cumberland County Juvenile Probation Department on the effective date of this Act, in connection with any juvenile, shall become the responsibility of the State Division of Probation and Parole.

Any employee of the Cumberland County Juvenile Probation Department on the effective date of this Act shall have the opportunity of employment with the State Division of Probation and Parole. Each employee of the Cumberland County Juvenile Probation Department, upon the effective date of this Act, who exercises the opportunity of employment with the State Division of Probation and Parole, and who, as an employee of the Cumberland County Juvenile Probation Department was a member of the Maine State Retirement System, shall be credited with all such time accrued as such member, and shall be entitled to all benefits of a State employee in the classified service, including position classification status, based upon the salary earned by such employee, upon the effective date of this Act, and longevity based upon continuous years of service with the Cumberland County Juvenile Probation Department, and prior state service, if such state service immediately preceded employment with the Cumberland County Juvenile Probation Department.

Effective July 1, 1973

Chapter 529

AN ACT Increasing the Gasoline Tax.

Emergency preamble. Whereas, the present highway program requires immediate funds in order to match federal funds for the construction of highways and to carry out necessary maintenance of highways; and

Whereas, such construction and maintenance should be started immediately to preserve the roads and furnish transportation for necessities to the people; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the fol-