

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Fifth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with  
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THE KNOWLTON AND MCLEARY COMPANY  
FARMINGTON, MAINE  
1971

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PUBLIC LAWS  
OF THE  
STATE OF MAINE

AS PASSED BY THE  
**One Hundred and Fourth Legislature**

AT THE  
**SPECIAL SESSION**

January 6, 1970  
to  
February 7, 1970

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lessee, his assigns, legal representatives or tenant may occupy or have a right to occupy, shall have been destroyed or damaged by fire or other unavoidable casualty so that the same shall be thereby rendered unfit for use or habitation ~~No~~; ~~provided that nothing herein shall render invalid or unenforceable an agreement contained in a lease of any building, buildings, or part of a building used primarily for other than residential purposes or in the case of any lease securing obligations guaranteed by the Maine Industrial Building Authority or the Maine Recreation Authority or in any written instrument shall be valid and binding upon the lessee, his legal representatives or assigns to pay the rental stipulated in said lease or agreement or any portion of such rental during a period when the building, buildings or part of a building described therein shall have been destroyed or damaged by fire or other unavoidable casualty so that the same shall be rendered unfit for use and or habitation, in whole or in part.~~

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective January 27, 1970

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## Chapter 541

### AN ACT Relating to Sentences for Assault on Officers of, or Escape From, the Men's Correctional Center.

**Emergency preamble.** Whereas, Acts passed by the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, under Title 34, section 807, as amended, persons committing offenses subject to prosecution under that section, which include escape from the Men's Correctional Center are required to complete, at least a portion of their original sentence before commencing in execution of the sentence for escape; and

Whereas, the Men's Correctional Center not being a maximum security facility is not the appropriate institution, in which to continue such inmates in execution of sentence; and

Whereas, it is vitally necessary in the interest of the protection of the public and of the staff, other inmates, and the orderly administration of the Men's Correctional Center, that inmates of the center who have assaulted officers, or escaped, or attempted to escape from the center, and have been convicted thereof, be immediately commenced in execution the sentence for such offense at the Maine State Prison; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

R. S., T. 34, § 807, amended. The first paragraph of section 807 of Title 34 of the Revised Statutes, as last repealed and replaced by section 5 of chapter 346 of the public laws of 1969, is repealed and the following enacted in place thereof:

Any inmate of the center who feloniously assaults any officer or other person employed in the government of the center or who breaks or escapes therefrom or forcibly attempts to do so, upon conviction therefor, shall be punished by imprisonment in accordance with Title 17, section 1405. Upon conviction and sentence, under this section, the inmate's former sentence shall terminate and he shall begin in execution of the sentence imposed under this section at the Maine State Prison. Any prisoner transferred to the center, under section 705, who violates this section shall be subject to section 710. The superintendent shall certify the fact of the violation of this section to the county attorney for Cumberland County who shall prosecute any such inmate or transferred prisoner therefor.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective January 27, 1970

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## Chapter 542

### AN ACT Relating to County Jail Detention of Juveniles Pending Redispotion Cases.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, from time to time, in instances requiring a training center superintendent to request judicial redispotion of a juvenile case pursuant to Title 15, section 2611, subsection 5, the person with respect to whom such request is made is destructive to person and property and severely disruptive of orderly institutional administration, and threatening to the maintenance of institutional control; and

Whereas, due to such fact, the well-being of such person and of other persons residing at the training center, and of staff members, is placed in jeopardy; and

Whereas, removal from the training center and placement in a county jail pending judicial redispotion hearing would be consistent with the needs of such persons, would provide necessary security unavailable at the training center, and would protect other persons in the committed population of the training center, and staff, assuring maintenance of control and orderly administration; and

Whereas, it is vitally necessary that the well-being of such person and other members of the committed population of the training center, and of staff, and the orderly administration of the training center be preserved; and