

# 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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*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 The first paragraph of section 807 of Title 34 of the Revised Statutes, as last repealed and replaced by section 5 of chapter 346 of the public laws of 1969, is repealed and the following enacted in place thereof: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

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. 15, § 2611, sub-§ 5, amended. Subsection 5 of section 2611 of Title 15 of the Revised Statutes, as last amended by section 2 of chapter 192 of the public laws of 1969, is further amended by adding at the end the following new paragraph:

When in the opinion of a superintendent of a training center it becomes necessary, the superintendent may at the time of filing a request for judicial review of disposition under this subsection, cause the person with respect to whom the request is filed to be removed from the training center by a law enforcement officer and placed in the Cumberland County jail. Such law enforcement officer shall act in such case, as in the case of an original arrest pursuant to section 2608. The request for judicial review of disposition when county jail detention is effected shall contain a request for a judicial hearing on the question of county jail detention, which shall be held as soon as the docket of the court permits. The court in such case shall act in accordance with section 2608.

**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 543

### AN ACT to Repeal the Law Providing a Uniform Fiscal Year for Municipalities.

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

Sec. 1. R. S., T. 30, § 2055, repealed and replaced. Section 2055 of Title 30 of the Revised Statutes, as amended, is repealed and the following enacted in place thereof:

#### § 2055. Annual meeting

Each town shall hold an annual meeting, at which time the following town officials shall be elected by ballot: Moderator, selectmen and school committee.

A town may, at a meeting held at least 60 days prior to the annual meeting, designate other town officials to be elected by ballot. The election of officials at the last annual town meeting shall be deemed to be such a designation until the town otherwise acts. A town official may not be elected on a motion to cast one ballot.