

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

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

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Augusta, Maine  
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**PUBLIC LAWS**  
OF THE  
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A. The general public shall not be excluded from ~~adjudicatory hearings~~ any **proceeding** on a juvenile crime that would constitute murder or a Class A, Class B or Class C crime if the juvenile involved were an adult or from any subsequent dispositional hearings in such cases.

Sec. 3. 15 MRSA § 3307, sub-§ 3, as amended by PL 1977, c. 664, § 29, is further amended to read:

3. **Record.** A verbatim record shall be made of all ~~detention~~ bind over, adjudicatory and dispositional hearings.

Sec. 4. 15 MRSA § 3310, sub-§ 5, ¶ A, as amended by PL 1977, c. 664, § 32, is further amended to read:

A. When the court finds that the allegations of the petition are supported by evidence beyond a reasonable doubt, the court may adjudge that the juvenile committed a juvenile crime and shall, in all such adjudications, issue an order of adjudication ~~setting forth the basis for its findings.~~

Sec. 5. 15 MRSA § 3312, sub-§ 3, ¶ A, as enacted by PL 1977, c. 520, § 1, is amended to read:

A. The court may continue the dispositional hearing, either on its own motion or on the motion of any interested party ~~for a reasonable period not to exceed one month to receive reports or other evidence:~~

(1) For a period not to exceed one month to receive reports or other evidence; or

(2) For a period not to exceed 12 months in order to place the juvenile in a supervised work or service program or a restitution program, or for such other purpose as the court in its discretion deems appropriate. In the event a supervised work or service program or restitution program has been ordered, the court shall on final disposition consider whether or not there has been compliance with the program so ordered.

Effective September 14, 1979

## CHAPTER 374

H. P. 1042 — L. D. 1275

### AN ACT Relating to the Purchase of Railroad Rights of Way.

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

Whereas, certain amendments must be made to the statute before pending railroad acquisitions can be completed; 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:**

23 MRSA § 4207, sub-§ 3, as amended by PL 1975, c. 629, is further amended by adding at the end a new paragraph to read:

**Whenever the department acquires railroad lines, to hold and to manage for future railroad uses, those lines shall not be considered abandoned for railroad purposes. The commissioner shall periodically review the need to hold such lines for future railroad uses.**

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

Effective June 8, 1979

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## CHAPTER 375

S. P. 283 — L. D. 857

**AN ACT to Amend the Maine Certificate of Need Act of 1978.**

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

22 MRSA § 304, sub-§ 1, ¶ C, as enacted by PL 1977, c. 687, § 1, is repealed and the following enacted in its place:

- C. Any change in the existing bed complement of a health care facility which:**
- (1) Increases or decreases the licensed bed capacity of the health care facility by more than 10% or more than 5 beds, whichever is less;**
  - (2) Increases or decreases the number of beds licensed by the department to provide a particular level of care by more than 10% of that number or more than 5 beds, whichever is less; or**
  - (3) Relocates more than 10% of the health care facility's licensed beds or more than 5 beds, whichever is less, from one physical plant to another; and**

Effective September 14, 1979