

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

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revocation proceedings are subsequently commenced, the court which conducts the revocation hearing may revoke probation. ~~and impose the sentence that was suspended when probation was granted~~ **Sentencing for the multiple offenses shall be** subject to section 1155. If concurrent terms of imprisonment are imposed and the terms do not commence on the same date, any time served as a result of the new conviction shall be deducted from the time the person is required to serve as a result of the probation revocation.

Sec. 43. 17-A MRSA § 1206, sub-§ 7-A, is enacted.

7-A. Upon revocation of probation pursuant to subsections 5, 6 or 7, the court may impose all of the sentence which was suspended when probation was granted or it may impose a portion thereof, considering the nature of the violation and the reasons for granting probation. The remaining portion of the sentence which is not imposed upon the revocation of probation shall remain suspended and subject to revocation at a later date. During the service of the portion of the sentence imposed upon revocation, the running of the period of probation shall be interrupted and shall resume again upon release. The court may nevertheless revoke probation and impose the remainder of the suspended sentence or a portion thereof for any criminal conduct committed during the service of the portion imposed upon revocation.

Sec. 44. 34 MRSA § 811, first ¶, as enacted by PL 1975, c. 756, § 20, is amended to read:

The State shall maintain the institution located at South Windham, heretofore known as the Men's Correctional Center and hereby renamed the Maine Correctional Center, for the confinement and rehabilitation of ~~persons under the age of 18 years with respect to whom probable cause has been found under Title 15, section 2611, subsection 3, who have pleaded guilty to, or have been tried and convicted of, crimes in the Superior Court~~ **boundover juveniles** and persons over the age of 18 years ~~and of not more than 26 years of age~~ who have been convicted of, or who have pleaded guilty to, crimes in the courts of the State, and who have been duly sentenced and committed thereto, and women sentenced to the Maine State Prison and committed to the center. **Nothing in this section shall be construed to prevent the sentencing of convicted boundover juveniles to other penal institutions in this State.**

Sec. 45. Effective date. Sections 4 and 38 to 40 shall take effect 91 days after adjournment. All other sections shall take effect 90 days after adjournment.

Effective September 14, 1979 unless otherwise indicated

CHAPTER 513

H. P. 357 — L. D. 452

AN ACT to Exempt Purchased Meals for the Elderly Meals Program from the State Sales and Use Tax.

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

Sec. 1. 36 MRSA § 1760, sub-§ 3, last sentence, as amended by PL 1977, c. 477, § 10, is repealed.

Sec. 2. 36 MRSA § 1760, sub-§ 6 is repealed and the following enacted in its place:

6. Certain meals. Sales of meals:

A. Serviced by public or private schools, school districts, student organizations and parent-teacher associations to the students or teachers of a school;

B. To patients and inmates of hospitals licensed by the State for the care of human beings and other institutions licensed by the State for the hospitalization or nursing care of human beings, or institutions, agencies, hospitals, boarding homes and boarding houses licensed by the Department of Human Services under Title 22, Subtitle 6, and Title 34, section 2211; and

C. By hospitals, schools, long-term care facilities, food contractors and restaurants to incorporated nonprofit area agencies on aging for the purpose of providing meals to the elderly.

Effective September 14, 1979

CHAPTER 514

H. P. 692 — L. D. 870

AN ACT Amending the Law Relating to Elevators and Tramways.

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

Sec. 1. 14 MRSA § 159-A, sub-§ 1, ¶ B, as enacted by PL 1979, c. 253, § 2, is amended to read:

B. "Recreational or harvesting activities" shall mean recreational activities conducted out of doors, including hunting, fishing, trapping, camping, hiking, sight-seeing, operation of snow-traveling vehicles, skiing, **hang-gliding**, boating, sailing, canoeing, rafting or swimming or activities that involve harvesting or gathering forest products. It shall include entry, use of and passage over premises in order to pursue these activities.

Sec. 2. 14 MRSA § 752-B, as enacted by PL 1977, c. 608, § 1, is amended to read: