

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND TENTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 1980 to June 19, 1981

AND AT THE

FIRST SPECIAL SESSION
August 3, 1981

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PUBLIC LAWS
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STATE OF MAINE

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Any medical or genetic information in the court records relating to an adoption shall be made available to the adopted child upon reaching the age of 18, his descendants, adoptive parents or legal guardian on petition to the court.

Effective September 18, 1981

CHAPTER 391

H. P. 1177 — L. D. 1401

AN ACT Relating to Compulsory School Attendance and the Enforcement of Truancy.

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

Sec. 1. 20 MRSA § 911, sub-§ 8, 2nd and 3rd sentences, as enacted by PL 1977, c. 499, § 1, are amended to read:

Any person having control of a child who is a habitual truant as defined in section 914 and being in any way primarily responsible for such truancy, and any commits a civil violation for which a forfeiture of not more than \$200 shall be adjudged. Any person who induces a child to absent himself from school, or harbors or conceals such child when he is absent shall be punished by a fine of not more than \$25 or by imprisonment for not more than 30 days for each offense. If the commits a civil violation for which a forfeiture of not less than \$500 shall be adjudged. The court imposes a sentence of probation, it may in its sentence, as a condition of probation require that the convicted person receive professional counseling by a qualified professional counselor who shall be selected by the convicted person, with the approval of the court, or by the court.

Sec. 2. 20 MRSA § 966, sub-§ 1, 4th and 5th sentences, as repealed and replaced by PL 1977, c. 696, § 174, are amended to read:

Any resident pupil counted in a unit or school on October 15th shall maintain a minimum attendance of ~~85%~~ 75% between October 15th and April 15th, exclusive of sickness or other excused absences, to be included in the count on April 15th. Students transferring into a unit or school shall maintain a minimum attendance of ~~85%~~ 75%, exclusive of sickness or other excused absences, from the date of entry until April 15th to be counted in the April 15th count.

Effective September 18, 1981

CHAPTER 392

H. P. 1183 — L. D. 1407

AN ACT Recommending Changes in the Maine Juvenile Code and Related Provisions.

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

Sec. 1. 1 MRSA § 2501, sub-§ 15, as enacted by PL 1979, c. 370, § 1, is amended to read:

15. Title 15.

A. Title 15, chapter 513 shall be repealed on September 30, ~~1981~~ 1982.

Sec. 2. 15 MRSA § 3203, sub-§ 4, ¶ B, last sentence, as enacted by PL 1979, c. 681, § 11, is amended to read:

Upon imposition of any condition of release described in subparagraph (2), (3) or (4), the intake worker shall **provide the juvenile with a copy of the condition imposed and** inform the juvenile of the right to have the condition reviewed by the Juvenile Court pursuant to subsection 5-A **and of the consequences applicable to violation of any condition.**

Sec. 3. 15 MRSA § 3203, sub-§ 4-A is enacted to read:

4-A. Violation of conditions of release. Upon an application for an arrest warrant setting forth probable cause to believe a juvenile has intentionally or knowingly violated a condition of his release, the Juvenile Court may issue a warrant for his arrest. A law enforcement officer having probable cause to believe that a juvenile has violated a condition of his release in his presence may arrest the juvenile without a warrant.

Following the arrest of a juvenile for violation of a condition of his release, the law enforcement officer shall immediately notify the intake worker. The intake worker shall either direct the release of the juvenile with or without imposing different or additional conditions for release of the juvenile or shall revoke release and order the juvenile detained for reasons set forth in subsection 4, paragraph C.

If different or additional conditions of release are imposed, the juvenile may request the Juvenile Court to review the conditions pursuant to subsection 5-A. Such review of additional or different conditions shall include a hearing to determine whether the preponderance of the evidence indicates that the juvenile intentionally or knowingly violated a condition of release.

Sec. 4. 15 MRSA § 3301, sub-§ 5, ¶ B, sub-¶ ¶ (2) and (3), as enacted by PL 1977, c. 664, § 22, are amended to read:

(2) The facts establish prima facie jurisdiction, except that any admission

made in connection with this informal adjustment cannot be used in evidence against the juvenile if a petition based on the same facts is later filed; **and**

(3) Written consent to the informal adjustment is obtained from the juvenile and his parents, guardian or legal custodian if the juvenile is not emancipated; **and or**

Sec. 5. 15 MRSA § 3301, sub-§ 5, ¶ B, sub-¶ (4), as enacted by PL 1977, c. 664, § 22, is repealed.

Effective September 18, 1981

CHAPTER 393

H. P. 1192 — L. D. 1416

AN ACT Relating to the Maine Sardine Council.

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

36 MRSA § 4693, as last amended by PL 1979, c. 731, § 17, is further amended by adding at the end a new paragraph to read:

Administrative proceedings of the council shall be in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375. Meetings and records of the council are subject to Title 1, chapter 13, subchapter 1, except all council records containing tax records filed in accordance with section 4697, including individual plant pack data; quality control information and inspection records compiled pursuant to section 4699, subsection 2, paragraph C, and Title 32, sections 4155, 4156 and 4157-A; and any other proprietary information obtained from individual processing plants, including information concerning packing technology, shall be confidential.

Effective September 18, 1981

CHAPTER 394

H. P. 1487 — L. D. 1614

AN ACT to Require the County Commissioners to Oversee the Hiring and Dismissal of County Employees.

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