

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND ELEVENTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 1982 to June 24, 1983
Chapters 1-452

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

J.S. McCarthy Co., Inc.
Augusta, Maine
1983

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

each. The stickers shall be made of such material and quality of adhesive as prescribed by the Chief of the State Police. At the end of the calendar year, or if the station license is suspended, any unused or expired stickers shall, within 5 working days, be returned to the Chief of the State Police and the purchase price refunded, except that refunds shall not be made for an amount less than \$1.

Sec. 14. 29 MRSA §2521, as enacted by PL 1979, c. 464, §5, is amended to read:

§2521. Penalties

Notwithstanding the provisions of Title 17-A, section 4-A, whoever ~~Whoever~~ violates or fails to comply with ~~section 1369~~ and the provisions of this chapter, except as otherwise provided, shall be punished by a fine of not less than \$10 nor more than \$100, or by imprisonment for not more than 90 days, or both guilty of a misdemeanor punishable by a fine of not less than \$25 nor more than \$500.

Whoever violates or fails to comply with the rules and regulations pertaining to this chapter shall be punished by a fine of no more than \$100 guilty of an infraction punishable by a fine of not less than \$25 nor more than \$250.

Sec. 15. 29 MRSA §2525, as enacted by PL 1979, c. 464, §5, is amended to read:

§2525. Return of unused stickers

Upon suspension, revocation or termination of an inspection license that prevents an official inspection station from performing inspections, the inspection station owner or manager shall immediately return all inspection materials to the Department of Public Safety. The Department of Public Safety shall issue a receipt for the returned materials, and shall refund the cost of unused stickers amounting to ~~\$1~~ \$5 or more.

Effective September 23, 1983.

CHAPTER 371

S.P. 554 - L.D. 1608

AN ACT Concerning the Negotiation of
Just Cause Provisions for Teachers.

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

20-A MRSA §13201, 3rd ¶, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

Just cause for dismissal or nonrenewal ~~may~~ shall be a negotiable item in accordance with the procedure set forth in Title 26, chapter 9-A, for teachers who have served beyond the probationary period.

Effective September 23, 1983.

CHAPTER 372

S.P. 447 - L.D. 1368

AN ACT to Make Extreme Anger or Extreme Fear Brought About by Adequate Provocation an Affirmative Defense which Reduces Murder to Manslaughter, and to Create the Crime of Intentional or Knowing Manslaughter.

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

Sec. 1. 17-A MRSA §201, sub-§§3, 4 and 5 are enacted to read:

3. It is an affirmative defense to a prosecution under subsection 1, paragraph A, that the actor causes the death while under the influence of extreme anger or extreme fear brought about by adequate provocation.

4. For purposes of subsection 3, provocation is adequate if:

A. It is not induced by the actor; and

B. It is reasonable for the actor to react to the provocation with extreme anger or extreme fear, provided that evidence demonstrating only that the actor has a tendency towards extreme anger or extreme fear shall not be sufficient, in and of itself, to establish the reasonableness of his reaction.

5. Nothing contained in subsection 3 may constitute a defense to a prosecution for, or preclude conviction of, manslaughter or any other crime.