

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

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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

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.

Sec. 2. 17-A MRSA §203, sub-§1, ¶B, as repealed and replaced by PL 1977, c. 510, §40, is repealed and the following enacted in its place:

B. Intentionally or knowingly causes the death of another human being under circumstances which do not constitute murder because he causes the death while under the influence of extreme anger or extreme fear brought about by adequate provocation. Adequate provocation has the same meaning as in section 201, subsection 4. The fact that he causes the death while under the influence of extreme anger or extreme fear brought about by adequate provocation constitutes a mitigating circumstance reducing murder to manslaughter and need not be proved in any prosecution initiated under this subsection.

Effective September 23, 1983.

CHAPTER 373

H.P. 1226 - L.D. 1620

AN ACT to Authorize Out-of-state Credit Unions to Conduct Business in this State.

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

Sec. 1. 9-B MRSA §816 is enacted to read:

§816. Out-of-state credit unions

1. Approval and findings of superintendent. A credit union organized in another state may establish a branch office as a credit union in this State with the approval of the superintendent. The superintendent shall find that the out-of-state credit union:

A. Is a credit union organized under laws similar to this Part;

B. Has received prior approval from its state of organization to establish a branch office in this State;

C. Has adequate financial resources;

D. Has share insurance comparable to that required for credit unions incorporated under this Part;