

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1984 to June 20, 1985

Chapters 1-384

PUBLISHED BY THE REVISOR OF STATUTES IN ACCORDANCE WITH
MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 163-A,
SUBSECTION 4.

J.S. McCarthy Co., Inc.
Augusta, Maine
1986

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND TWELFTH LEGISLATURE

1985

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

15 MRSA §3309-A, as amended by PL 1983, c. 480, Pt. A, §11, is repealed and the following enacted in its place:

§3309-A. Limitation on diagnostic evaluations

The court shall not order a juvenile to undergo a diagnostic evaluation, as defined in section 3003, subsection 4-A, except as follows:

1. Information to assist findings in bind-over. When the prosecutor has moved for a bind-over hearing pursuant to section 3101, subsection 4, or certifies in writing to the court that the results of such an evaluation are required in order to determine whether or not to so move;

2. Information needed to make a disposition. Following an order of adjudication pursuant to section 3310, subsection 5, paragraph A, for the purposes of making a disposition; and

3. By consent of the parties. When the juvenile and the prosecuting attorney consent and the court finds that such an evaluation may be of assistance to it in carrying out the purposes of the Maine Juvenile Code.

Nothing in this section may be construed to limit court-ordered examinations pursuant to section 3318.

Effective September 19, 1985.

CHAPTER 214

H.P. 587 - L.D. 857

AN ACT to Amend the Definition of Juvenile Crime in the Maine Juvenile Code.

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

Sec. 1. 15 MRSA §3103, sub-§1, ¶E, as amended by PL 1981, c. 679, §4, is further amended to read:

E. Offenses involving the operation or attempted operation of a snowmobile or watercraft while under the influence of intoxicating liquor or drugs, as defined in Title 12, section 7801, subsection 9, and section 7827, subsection 9, respectively, and offenses involving failing to aid an injured person or to report a hunting accident as defined in Title 12, section 7406, subsection 15; and

Sec. 2. 15 MRSA §3103, sub-§1, ¶F, as amended by PL 1983, c. 818, §2, is further amended to read:

F. The criminal violation of operating a motor vehicle under the influence of intoxicating liquor or drugs or with an excessive blood-alcohol level, as defined in Title 29, section 1312-B or operating a motor vehicle while the right to operate is revoked, as defined in Title 29, section 2298 and offenses defined in Title 29 as Class B or C crimes.

Effective September 19, 1985.

CHAPTER 215

H.P. 1039 - L.D. 1513

AN ACT to Provide Guidance to Municipal
Officers in Granting and Denying
Liquor Licenses for On-premise
Consumption.

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

Sec. 1. 28 MRSA §252-A, sub-§2, as enacted by PL 1981, c. 366, §5, is amended to read:

2. Findings. In granting or denying an application under subsection 1, the municipal officers or the county commissioners, as the case may be, shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime;

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land