

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.
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PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
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1985

§195. Annual reports

It shall be the duty of each said the county extension association, annually, ~~on or before the 10th day of December~~ as required, to present its plan of extension work for the ensuing year and to render to both the trustees of the University of Maine, ~~College of Agriculture, at Orono~~ and the county commissioners a full detailed report of its extension activities for the preceding fiscal year, including a detailed report of its receipts and expenditures from all sources. The financial report of such county extension association shall be on such forms as may be prescribed by the ~~trustees of the~~ University of Maine, College of Agriculture at Orono and the county commissioners.

Effective September 19, 1985.

CHAPTER 284

S.P. 590 - L.D. 1553

AN ACT Concerning Unauthorized Transfer and
Use of Fuel Obtained Through Fuel
Assistance.

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

22 MRSA §5206 is enacted to read:

§5206. Penalty

Whoever knowingly uses, transfers, acquires or possesses fuel, provided through fuel assistance, in any manner not authorized by this chapter or the rules issued under this chapter shall be guilty of a Class E crime.

Effective September 19, 1985.

CHAPTER 285

H.P. 683 - L.D. 969

AN ACT to Amend Calculation of Period of
Imprisonment under the Maine Criminal
Code.

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

Sec. 1. 17-A MRSA §1253, sub-§2, as amended by PL 1983, c. 450, §10, is repealed and the following enacted in its place:

2. Each person sentenced to imprisonment who has previously been detained for the conduct for which the sentence is imposed in any state correctional facility or county institution or facility or in any local lockup awaiting trial, during trial, post-trial awaiting sentencing or post-sentencing prior to the date on which the sentence commenced to run either to await transportation to the place of imprisonment specified, or pursuant to court order, and not in execution of any other sentence of confinement, shall be entitled to receive a day-for-day deduction from the total term of imprisonment required under that sentence. Each person shall be entitled to receive the same deduction for any such period of detention in any federal, state or county institution, local lockup or similar facility in another jurisdiction, including any detention resulting from being a fugitive from justice, as defined by Title 15, section 201, subsection 4, unless he is simultaneously being detained for non-Maine conduct.

For the purpose of calculating the day-for-day deduction specified by this subsection, a "day" means 24 hours.

The total term required under the sentence of imprisonment shall be reduced by the total deduction of this subsection prior to applying any of the other deductions specified in this section or in Title 30, section 1806.

The attorney representing this State shall furnish the court, at the time of sentencing or within 10 days thereafter, a statement showing the total deductions of this subsection, to that point in time, and the statement shall be attached to the official records of the commitment.

The sheriff or other person upon whom the legal duty is imposed to deliver a sentenced person who is entitled to a deduction for a period of detention post-sentencing shall, at the time of delivery, furnish to the custodian a statement showing the length of that post-sentencing detention. In addition, the transporter shall furnish to the sentencing court the same statement which shall be attached to the official records of the commitment.

Sec. 2. 17-A MRSA §1253, sub-§2-A, as enacted by PL 1981, c. 317, §26, is repealed and the following enacted in its place:

2-A. For the purpose of calculating the term of imprisonment, when used by a sentencing court, the words "day," "week," "month" and "year" have the following meanings.

- A. A "day" means 24 hours.
- B. A "week" means 7 days.
- C. A "month" means 30 days.
- D. A "year" means 365 days.

Sec. 3. 17-A MRSA §1253, sub-§6-A is enacted to read:

6-A. When a judgment of conviction involving a term of imprisonment is vacated or a sentence involving a term of imprisonment is revised or reviewed and a new sentence involving a term of imprisonment is thereafter imposed upon the person for the same offense, day-for-day credit shall be accorded on the new sentence both for each day the person served in execution of the initial sentence and for all previously earned deductions specified in subsections 4 and 5 and Title 30, section 1806. Prior to the day-for-day credit being given on the new sentence, the new sentence shall, after first having been reduced by any deductions specified in subsection 2 previously or subsequently received, have applied to it the controlling deduction specified in either subsection 3 or 3-B.

Effective September 19, 1985.

CHAPTER 286

H.P. 1025 - L.D. 1477

AN ACT Concerning Service Requirements for Medical Students.

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

Sec. 1. 20-A MRSA §11803, sub-§3 is enacted to read: