

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 384-End

AND AT THE

FIRST SPECIAL SESSION

November 13, 1985

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

J.S. McCarthy Co., Inc.
Augusta, Maine
1985

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION
CONTINUED

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND TWELFTH LEGISLATURE

1985

8. Consecutive suspensions. Any suspension pursuant to this section or the former section 1312, subsection 10 or section 1312-B or ~~1312-C~~ former section 1312-B, subsection 2 shall be consecutive to any suspension imposed under section 1312, subsection 2, for failing to comply with the duty to submit to a test to determine blood-alcohol level by analysis of blood or breath.

9. Proof of financial responsibility. In the case of any person previously convicted of violating subsection 10 of former section 1312; convicted of violating former section 1312-B, subsection 2; convicted of violating section 1312-B; adjudicated guilty of violating section 1312-C; or convicted of violating Title 15, section 3103, subsection 1, paragraph F, within a 6-year period of the most recent conviction or adjudication of any of these violations, the Secretary of State shall not reinstate that person's license, right to operate or right to apply for or obtain a license until that person has complied with the financial responsibility provisions of section 782.

Effective September 19, 1985.

CHAPTER 413

S.P. 618 - L.D. 1629

AN ACT Relating to Cumberland County Budget Process.

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

30 MRSA c. 12 is enacted to read:

CHAPTER 12

CUMBERLAND COUNTY BUDGET

§1651. Budget; appropriations; approval

Notwithstanding sections 2, 252 and 253, in Cumberland County the county commissioners may appropriate money, according to a budget, which must be approved by a majority of the county commissioners.

§1652. Interim budget

In the event the budget is not approved before the start of a fiscal year, the county shall, until a budget is finally adopted, operate on an interim budget which shall be no more than 80% of the previous year's budget.

§1653. Advisory committee

1. Membership. There is established a Cumberland County Budget Advisory Committee comprised as follows.

A. Municipal officers within each commissioner district shall caucus and shall elect 3 municipal officers from that district as members.

(1) Members shall serve for 3-year terms, except that initially each district caucus shall select one member for a one-year term, one member for a 2-year term and one member for a 3-year term. If a committee member ceases to be a municipal officer during his term of membership, he shall resign his membership and the next district caucus shall elect a qualified municipal officer to fill the membership for the remainder of the unexpired term.

B. The Cumberland County Human Services Board shall annually appoint one member representing human service agencies within the county who shall serve as an ex officio nonvoting member.

The committee shall select its own chairman each year.

§1654. Public hearing

The Cumberland County commissioners shall hold one or more public hearings on the budget estimate prior to October 1st.

§1655. Budget estimate; submission to advisory committee

The Cumberland County commissioners shall submit a budget estimate to the advisory committee no later than October 1st for the coming year. The advisory committee shall review the budget estimate and make recommendations to the commissioners prior to November 15th. The county commissioners shall act on the budget in a timely fashion and, in any event, not later than December 15th of the budget year.

§1656. Final budget estimates; filing

A copy of the final budget estimates shall be filed, on forms approved by the Department of Audit, with the State Auditor, who shall retain them for 3 years.

Effective September 19, 1985.

CHAPTER 414

S.P. 525 - L.D. 1408

AN ACT to Amend Certain Sex Crimes Under the Maine Criminal Code.

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

Sec. 1. 17-A MRSA §252, sub-§3, as amended by PL 1975, c. 740, §47, is further amended to read:

3. Rape is a Class A crime. It is a defense to a prosecution under subsection 1, paragraph B, which reduces the crime to a Class B crime that the victim was a voluntary social companion of the defendant at the time of the crime and had, on that occasion, permitted the defendant sexual contact or voluntarily engaged in sexual contact with the defendant.

Sec. 2. 17-A MRSA §253, sub-§3, as enacted by PL 1975, c. 499, §1, is amended to read:

3. It is a defense to a prosecution under subsection 2, paragraph A, that the other person voluntarily consumed or allowed administration of the substance with knowledge of its nature, except that it is no defense where the other person is a patient of the actor and has a reasonable belief that the actor is administering the substance for medical or dental examination or treatment.

Sec. 3. 17-A MRSA §253, sub-§4, as enacted by PL 1975, c. 499, §1, is amended to read:

4. Violation of subsection 1 is a Class A crime. It is, however, a defense to prosecution under subsection 1, paragraph A, which reduces the crime to a Class B crime that the other person was a voluntary social companion of the defendant at the time of the