

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

§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

offense and had, on that occasion, permitted him the defendant sexual contact or voluntarily engaged in sexual contact with the defendant. It is an affirmative defense to a prosecution under subsection 1, paragraph A, that the defendant and the victim were living together as man and wife at the time of the crime.

Effective September 19, 1985.

CHAPTER 415

S.P. 423 - L.D. 1171

AN ACT to Permit Voluntary Hospitalization of Adults under Guardianship.

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

Sec. 1. 34-B MRSA §3831, first ¶, as enacted by PL 1983, c. 459, §7, is repealed and the following enacted in its place:

A hospital for the mentally ill may admit on an informal voluntary basis for care and treatment of a mental illness any person desiring admission or the adult ward of a legally appointed guardian, subject to the following conditions.

Sec. 2. 34-B MRSA §3831, sub-§5 is enacted to read:

5. Adults under guardianship. An adult ward may be admitted on an informal voluntary basis only if his legally appointed guardian consents to the admission and the ward makes no objection to the admission.

Effective September 19, 1985.

CHAPTER 416

S.P. 497 - L.D. 1335

AN ACT to Amend Certain Aspects of Criminal Homicide in the Maine Criminal Code.