

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
ONE HUNDRED AND TWELFTH LEGISLATURE

**SECOND REGULAR SESSION**  
January 8, 1986 to April 16, 1986

**SECOND SPECIAL SESSION**  
May 28, 1986 to May 30, 1986

AND AT THE

**THIRD SPECIAL SESSION**  
October 17, 1986

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

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

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED AT THE  
SECOND REGULAR SESSION  
of the  
ONE HUNDRED AND TWELFTH LEGISLATURE  
1985

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shall be taken by the subscriber's successor in interest in the year of disposition and unused credit shall be taken by the subscriber's successor in interest ratably over the remaining time period that would have been applicable under subsection 2 to the first subscriber with respect to the stock or interests had there been no disposition, provided that, in determining the applicable remaining time period, it shall be presumed that subsections 3 and 4 did not apply to the first subscriber.

6. Recapture. In the event of disposition by any subscriber of its stock or interests in the company, there shall be added to the tax imposed on the subscriber under this Part for the taxable year in which the disposition occurs an amount equal to the excess of the total amount of the credit taken under subsection 2 by the subscriber and any predecessors in interest, over an amount equal to 50% of the amount actually paid to the company by that subscriber and any predecessors in interest.

Effective July 16, 1986.

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## CHAPTER 715

S.P. 933 - L.D. 2334

AN ACT to Clarify the Separation of Juveniles  
from Adults when Juveniles are  
Detained in County Jails.

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

Sec. 1. 15 MRSA §3314, sub-§1, ¶H, as amended by PL 1983, c. 480, Pt. B, §19, is further amended to read:

H. The court may commit the juvenile to the Maine Youth Center and order that the sentence be suspended except for a period of detention which shall not exceed 30 days, which may be served intermittently as the court may order and which shall be ordered served in a county jail designated by the Department of Corrections as a place for the secure detention of juveniles, or in a nonsecure group care home or halfway house. When the detention is ordered served in a county jail, the juvenile may be detained only in that

part of the jail which meets the requirements of section 3203-A, subsection 7, paragraph A. The court may order such a sentence to be served as a part of and with a period of probation, which shall be subject to such provisions of Title 17-A, section 1204 as the court may order and which shall be administered pursuant to Title 34, chapter 121, subchapter V-A. Revocation of probation shall be governed by the procedure contained in subsection 2.

Sec. 2. 30 MRSA §1121, sub-§4, as enacted by PL 1977, c. 431, §15, is amended to read:

4. Detention. "Detention" means the confining of a person an adult or juvenile held in lawful custody in a specially constructed or modified facility designed to insure continued custody and control. Detention may be confinement prior to trial or another hearing by a court or to serve court imposed sentences or dispositions and may be in a jail or lock-up.

Effective July 16, 1986.

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## CHAPTER 716

H.P. 1672 - L.D. 2357

### AN ACT to Fairly Apportion the Cost of Water System Extensions or Service Lines.

**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, all water departments and quasi-municipal water districts are required to invest in extensions to water mains and expansions to their water systems; and

Whereas, several water departments and quasi-municipal water districts are experiencing and will continue with growth to experience increasing financial hardship due to the present rules and regulations requiring major investments in extensions which result in an undue burden on all existing water customers; and