

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE

FIRST SPECIAL SESSION
November 28, 1995 to December 1, 1995

SECOND REGULAR SESSION
January 3, 1996 to April 4, 1996

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 4, 1996

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

J.S. McCarthy Company
Augusta, Maine
1995

G. One member who is from the student body of one of the technical college campuses at the time of appointment and who is a permanent resident of the State. To be eligible for appointment as a student member, a student must be enrolled for a minimum of 12 credit hours per semester.

The student member is a full voting member of the board of trustees and serves for a 2-year term and until a successor is qualified. By January 1st of every 2nd year, the president of the system shall solicit a list of ~~5~~ 6 eligible students from the student governments from ~~5~~ 6 of the campuses within the Maine Technical College System, the ~~6th~~ 7th campus being excluded in accordance with this subsection. The Governor shall then nominate a student trustee chosen from the list within 30 days of receiving the list of names. The nomination is subject to review by the joint standing committee of the Legislature having jurisdiction over education matters and to confirmation by the Legislature. The student trustee may not come from the same campus in any 2 consecutive terms. In the event that the student trustee transfers from one campus to another during the student's term of appointment, the student's original campus of enrollment is the campus excluded when the next student trustee is appointed.

Sec. 12. 20-A MRSA §12705, sub-§7, as amended by PL 1987, c. 532, §2, is further amended to read:

7. Quorum. A quorum ~~shall consist~~ consists of a majority of the voting members of the board of trustees. No action may be taken without the affirmative vote of ~~6~~ a majority of the members present and voting.

See title page for effective date.

CHAPTER 689

H.P. 1211 - L.D. 1661

An Act to Increase the Penalty for Criminal Restraint of a Young Child

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

Sec. 1. 17-A MRSA §302, sub-§3, as repealed and replaced by PL 1979, c. 512, §25, is amended to read:

3. Criminal restraint is a Class D crime except that it is a Class C crime if the person restrained has in fact not attained 8 years of age.

See title page for effective date.

CHAPTER 690

H.P. 1234 - L.D. 1694

An Act Concerning Juveniles Who Have Been Adjudicated to Have Committed the Juvenile Crime of Gross Sexual Assault

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

Sec. 1. 15 MRSA §3308, sub-§7, ~~¶D~~ is enacted to read:

D. When a juvenile who is adjudicated of a juvenile crime that if committed by an adult would be gross sexual assault under Title 17-A, section 253, subsection 1 is committed to the Maine Youth Center or placed on probation, the Department of Corrections shall provide, while the juvenile is committed to the Maine Youth Center or on probation, a copy of the juvenile's judgment and commitment to the Department of Human Services, to all law enforcement agencies that have jurisdiction in those areas where the juvenile may reside, work or attend school and to the superintendent of any school system in which the juvenile attends school during the period of commitment or probation. The Department of Corrections may provide a copy of the juvenile's judgment and commitment to any other agency or person whom the Department of Corrections determines is appropriate to ensure public safety. Neither the failure of the Department of Corrections to perform the requirements of this paragraph nor compliance with this paragraph subjects the Department of Corrections or its employees to liability in a civil action.

Sec. 2. 15 MRSA §3309-A, sub-§2, as repealed and replaced by PL 1985, c. 213, is amended to read:

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~~

Sec. 3. 15 MRSA §3309-A, sub-§3, as enacted by PL 1985, c. 213, is amended to read:

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