

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE

SECOND SPECIAL SESSION
September 5, 1996 to September 7, 1996

ONE HUNDRED AND EIGHTEENTH LEGISLATURE

FIRST REGULAR SESSION
December 4, 1996 to March 27, 1997

FIRST SPECIAL SESSION
March 27, 1997 to June 20, 1997

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 26, 1997

FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 1997

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
1997

nondeadly force not justified under section 107, subsection 1.

Sec. 2. 17-A MRSA §751, as enacted by PL 1975, c. 499, §1, is amended to read:

§751. Obstructing government administration

1. A person is guilty of obstructing government administration if ~~he~~ the person uses force, violence, or intimidation or engages in any criminal act with the intent to interfere with a public servant performing or purporting to perform an official function.

2. This section ~~shall~~ does not apply to:

A. Refusal by a person to submit to an arrest or detention; or

B. Escape by a person from official custody, as defined in section 755.

3. Obstructing government administration is a Class D crime.

Sec. 3. 17-A MRSA §751-A is enacted to read:

§751-A. Refusing to submit to arrest or detention

1. A person is guilty of refusing to submit to an arrest or a detention if, with the intent to hinder, delay or prevent a law enforcement officer from effecting the arrest or detention, that person:

A. Uses physical force against the law enforcement officer; or

B. Creates a substantial risk of bodily injury to the law enforcement officer.

2. It is a defense to prosecution under this section that:

A. The person knew that the law enforcement officer knew that the arrest or detention was illegal; or

B. The person reasonably believed that the person attempting to effect the arrest or detention was not a law enforcement officer.

3. Refusing to submit to an arrest or a detention is a Class D crime.

See title page for effective date.

CHAPTER 352

H.P. 646 - L.D. 899

An Act Regarding Terminal Rental Adjustment Clauses Vehicle Leasing

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

Sec. 1. 10 MRSA c. 209-A is enacted to read:

CHAPTER 209-A

VEHICLE LEASES THAT ARE NOT SALES OR SECURITY INTERESTS

§1305. Terminal rental adjustment clauses; vehicle leases that are not sales or security interests

Notwithstanding any other provision of law, in the case of motor vehicles or trailers, a transaction does not create a sale or security interest merely because the agreement provides that the rental price is permitted or required to be adjusted upward or downward by reference to the amount realized upon sale or other disposition of the motor vehicle or trailer.

See title page for effective date.

CHAPTER 353

H.P. 648 - L.D. 901

An Act to Allow Minors under 16 Years of Age to Work at Certain Commercial Places of Amusement

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

Whereas, low rates of unemployment in southern Maine have caused a severe shortage of labor in recent tourist seasons that has made it difficult for tourist businesses to recruit workers; and

Whereas, the summer tourist season will begin within 30 days of adjournment; and

Whereas, if this legislation does not become effective until the normal effective date, a number of seasonal tourist businesses will not be able to benefit this year from the change in law this legislation would enact; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following