

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINETEENTH LEGISLATURE

FIRST REGULAR SESSION
December 2, 1998 to June 19, 1999

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 18, 1999

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
1999

considered a part of the fine, forfeiture or penalty. All funds collected pursuant to this section must be deposited monthly in the Maine Community Policing Institute Surcharge Fund. All funds collected pursuant to this section must be paid to the University of Maine System for the sole purpose of funding the Maine Community Policing Institute, except that the Judicial Department may incur reasonable expenses to implement the administration of the 2% surcharge, in an amount not to exceed \$11,000 annually, in fiscal years ending June 30, 2000 and June 30, 2002.

3. Report. Beginning July 1, 2000, the Maine Community Policing Institute shall annually report to the joint standing committee of the Legislature having jurisdiction over criminal justice matters. The purpose of the report is to provide the Legislature with annual information, including training and educational program descriptions, program development and outreach and resource management.

4. Sunset. This section is repealed September 30, 2001.

Sec. 4. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Act.

	1999-00	2000-01
JUDICIAL DEPARTMENT		
Courts - Supreme, Superior, District and Administrative		
All Other	\$11,000	
Pursuant to the Maine Revised Statutes, Title 4, section 1057-A, the Judicial Department may use proceeds from the Maine Community Policing Institute surcharge for the costs associated with implementing the surcharge. These costs include computer programming costs and costs associated with revising and distributing the law enforcement officers field reference manual.		
JUDICIAL DEPARTMENT TOTAL	\$11,000	
UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE		

Educational and General Activities -University of Maine System

All Other	\$270,250	\$375,000
Allocates funds pursuant to the Maine Revised Statutes, Title 4, section 1057-A, for the Maine Community Policing Institute.		

BOARD OF TRUSTEES OF THE UNIVERSITY OF MAINE SYSTEM

TOTAL	\$270,250	\$375,000
TOTAL ALLOCATIONS	\$281,250	\$375,000

See title page for effective date.

CHAPTER 358

H.P. 1411 - L.D. 2018

An Act to Simplify the Rule of Reasonable Belief in the Maine Criminal Code

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

Sec. 1. 17-A MRSA §101, sub-§3, as repealed and replaced by PL 1981, c. 324, §24, is amended to read:

3. Conduct ~~which that~~ is justifiable under this chapter constitutes a defense to any crime; provided that, if a person is justified in using force against another, but ~~he the person~~ recklessly injures or creates a risk of injury to 3rd persons, the justification afforded by this chapter is unavailable in a prosecution for such recklessness. If a defense provided under this chapter is precluded solely because the requirement that the ~~actor's person's~~ belief be reasonable has not been met, ~~he the person~~ may be convicted only of a crime for which recklessness or criminal negligence suffices, ~~depending on whether his holding the belief was reckless or criminally negligent and then, only if holding the belief, when viewed in light of the nature and purpose of the person's conduct and the circumstances known to the person, is grossly deviant from what a reasonable and prudent person would believe in the same situation.~~

See title page for effective date.