

# 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.**

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1999**

**6. Fund.** There is established the Renewable Resource Fund, referred to in this subsection as the "fund." The fund is a nonlapsing fund administered by the State Planning Office. All funds collected by the commission pursuant to subsection 5 must be deposited in the fund for distribution by the State Planning Office in accordance with subsection 5. The State Planning Office may seek and accept funding for the program established pursuant to subsection 5 from other sources, public or private. Any funds accepted for use in the program established pursuant to subsection 5 must be deposited in the fund.

**Sec. 3. Allocation.** The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Act.

	1999-00	2000-01
<b>EXECUTIVE DEPARTMENT</b>		
<b>Renewable Resource Fund</b>		
All Other	\$500	\$500
Provides a base allocation for the Renewable Resource Fund, administered by the State Planning Office, to authorize expenditures in the event that voluntary contributions are deposited in the fund.		

See title page for effective date.

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**CHAPTER 373**

**H.P. 1092 - L.D. 1539**

**An Act to Require More Timely Court-ordered Psychological Evaluations**

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

**Sec. 1. 15 MRSA §101-B, sub-§1,** as amended by PL 1989, c. 621, §1, is further amended to read:

**1. Court order; permissive.** The District Court or the Superior Court having jurisdiction in any criminal case for cause shown may order the defendant examined to determine the defendant's mental condition with reference to the issues of competency, criminal responsibility, abnormal condition of mind and any other issue involving the mental or emotional condition of the defendant. The examination may be conducted by the State Forensic Service or by a psychiatrist or licensed clinical psychologist inde-

pendent of the State Forensic Service. If additional examinations are ordered, the court shall ensure that at least one examination is conducted by the State Forensic Service. The court in selecting an independent practitioner and the site of any examination shall consider proximity to the court, availability of an examiner or examiners and the necessity for security precautions. ~~No~~ A person may not be presented for examination under this subsection without arrangements for that examination with the State Forensic Service or the independent practitioner being first made by the court, clerk of courts or sheriff. If the defendant is incarcerated, the examination is to be completed within ~~90~~ 45 days from the date of arrest. The State Forensic Service shall notify the court upon the completion of the examination. The opinion of the examiner or examiners relative to the competence, criminal responsibility, abnormal condition of mind or any other mental or emotional condition of the respondent must be reported without delay to the court following examination, together with copies to counsel for the respondent and counsel for the State.

See title page for effective date.

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**CHAPTER 374**

**H.P. 1407 - L.D. 2012**

**An Act to More Accurately Describe the Criminal Conduct Committed When a Person Grows or Cultivates Marijuana**

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

**Sec. 1. 17-A MRSA §1101, sub-§17,** as amended by PL 1997, c. 481, §1, is further amended to read:

**17. "Traffick-";**

- A. To make, create, manufacture;
- B. To grow or cultivate, except for marijuana;
- C. To sell, barter, trade, exchange or otherwise furnish for consideration; or
- D. To possess with the intent to do any act mentioned in paragraph C.

**Sec. 2. 17-A MRSA §1103, sub-§2, ¶A,** as amended by PL 1989, c. 850, §2, is further amended to read:

- A. A Class B crime if the drug is a schedule W drug; or if it is marijuana in a quantity of 20