

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1984 to June 20, 1985

Chapters 1-384

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

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PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND TWELFTH LEGISLATURE

1985

CHAPTER 158

H.P. 314 - L.D. 403

AN ACT to Allow Educational Institutions
within the State to Purchase State
Surplus Property.

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

Sec. 1. 5 MRSA §1811, sub-§6 is amended to read:

6. Surplus property. To transfer to or between state departments and agencies or educational institutions, or sell supplies, materials and equipment which are surplus, obsolete or unused;

Sec. 2. 5 MRSA §1813, sub-§6, as amended by PL 1975, c. 161, is further amended to read:

6. Surplus property. Providing for transfer of supplies, materials and equipment which are surplus from one state department or agency to another which may need them, and for the disposal by private and public sale of supplies, materials and equipment which are obsolete and unusable; provided, however, that if any political subdivision in the State or any educational institution enumerated in section 1813-A requests to purchase any such obsolete and unusable items, then the disposal shall be by private sale to that political subdivision or educational institution, except that other state departments or agencies having an interest in ~~said~~ that equipment shall have the option of first refusal; ~~said~~ that equipment to be retained for a period of at least one year in a current ongoing program. Any item purchased by a political subdivision or educational institution under this section shall not be sold or transferred by that political subdivision or educational institution for a period of 6 months from the date of ~~said~~ the private sale and the State reserves the right to refuse to sell additional equipment to a political subdivision or educational institution if it is determined that ~~said~~ the political subdivision or educational institution has not retained the equipment for the required period of 6 months;

Sec. 3. 5 MRSA §1813-A is enacted to read:

§1813-A. Educational institutions; surplus property

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Educational institution. "Educational institution" means any public elementary or secondary school; any elementary or secondary private school approved for tuition whose school enrollment is at least 60% publicly-funded students as determined by the previous school year's October to April average enrollment; any nonpublic post-secondary school; or any vocational region.

2. Surplus property; private sale to educational institutions. Pursuant to this chapter and rules promulgated under section 1813, the Department of Finance and Administration through the Bureau of Purchases shall allow private sales of surplus property to educational institutions.

Effective September 19, 1985.

CHAPTER 159

S.P. 509 - L.D. 1369

AN ACT to Assure Advocacy Services for
Children with Learning Disabilities.

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

Sec. 1. 22 MRSA §3551, last ¶, as enacted by PL 1979, c. 553, §2, is amended to read:

The Governor of the State shall designate an agency, independent of any state or private agency which provides treatment, services or habilitation to persons with developmental disabilities, to serve as the Protection and Advocacy Agency for the Developmentally Disabled in Maine pursuant to the United States Code, Title 42, sections 6001 through 6012. The agency so designated shall have the authority to pursue legal, administrative and other appropriate remedies to assure the welfare and protect the rights of persons with developmental disabilities and persons with learning disabilities.

Sec. 2. 22 MRSA §3552, sub-§1, as amended by PL 1983, c. 539, §2, is further amended to read: