

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 scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

Kennebec Journal
Augusta, Maine
1979

PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED AT THE
FIRST REGULAR SESSION
of the
ONE HUNDRED AND NINTH LEGISLATURE
1979

CHAPTER 71

H. P. 122 — L. D. 130

AN ACT to Require Certification of Teachers in Bilingual Education Programs.

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

20 MRSA § 102, sub-§ 16, as repealed and replaced by PL 1977, c. 26, is amended by adding at the end the following new sentences:

Bilingual instructors shall be subject to section 59 requiring certification of teachers by the State Board of Education, in both course content and language of instruction. Certified bilingual instructors shall not be required for the provision of transitional instruction at any grade level. "Transitional instruction" means instruction given to a non-English speaking student for the purpose of enabling the student to be instructed in English within a reasonable length of time. Transitional instruction shall not be construed as including bilingual education programs, as defined in United States Code Annotated, Title 20, section 880b-1, which do not include students of limited English speaking ability.

Effective September 14, 1979

CHAPTER 72

S. P. 104 — L. D. 201

AN ACT Relating to Filing Abstracts of Divorce Decrees with Registry of Deeds.

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

Sec. 1. 19 MRSA § 722-A, sub-§ 5 is enacted to read:

5. Decree contents. If the final divorce decree disposes of real property, it shall name the party or parties responsible for preparing and recording the decree of divorce or abstract thereof and paying the recording fee. The decree may name different parties to be responsible for different parcels.

Sec. 2. 19 MRSA § 725, 2nd ¶, as repealed and replaced by PL 1975, c. 488, is repealed and the following enacted in its place:

Each party or his attorney shall include, with any final decree submitted to the court, the abstracts that are necessary to implement that decree. The recording fee for the decree of divorce or abstracts thereof shall be paid to the clerk prior to the entry of the final decree. The clerk of the court in which the divorce is granted

shall, at the expiration of any appeal period from that decree, send the decree of divorce or abstract thereof for recording, by certified mail, or deliver the decree of divorce or abstract thereof to such registry or registries as required.

Sec. 3. 33 MRSA § 751, sub-§ 1-A is enacted to read:

1-A. Divorce decrees or abstracts. Receiving, recording and indexing a divorce decree or abstract thereof, the sum of \$5.

Effective September 14, 1979

CHAPTER 73

H. P. 181 — L. D. 209

AN ACT Relating to Abatement Proceedings.

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

36 MRSA § 841, as last amended by PL 1977, c. 694, § 692, is repealed and the following enacted in its place:

§ 841. Abatement procedures

1. Error or mistake. The assessors, within one year from commitment, or the municipal officers, thereafter but within 3 years from commitment, upon written application or on their own initiative, stating the grounds therefor, may make such reasonable abatement as they think proper to correct any illegality, error or irregularity in assessment, provided the taxpayer has complied with section 706. An abatement under this subsection to correct an error in the valuation of property shall not be granted after one year from commitment.

2. Infirmity or poverty. The municipal officers or the State Tax Assessor for the unorganized territory may, on their own knowledge or on written application therefor, make such abatements as they believe reasonable in the real and personal taxes on all persons who, by reason of infirmity or poverty, are in their judgment unable to contribute to the public charges. Hearings and proceedings held pursuant to this subsection shall be in executive session and information submitted in support of an application under this subsection shall be confidential.

3. Inability to pay after 2 years. If after 2 years from the date of assessment a collector is satisfied that a tax upon real or personal property committed to him for collection cannot be collected by reason of the death, absence, poverty, insolvency, bankruptcy or other inability of the person assessed to pay, he shall