

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND TENTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 1980 to June 19, 1981

AND AT THE

FIRST SPECIAL SESSION
August 3, 1981

**PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
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PUBLIC LAWS
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Whereas, such a transfer might seriously deplete the State Contingent Account;
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 legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 5 MRSA § 1511, as enacted by P&SL 1975, c. 147, Pt. C, § 7, is amended by adding at the end a new sentence to read:

Further, the State Controller is authorized, at the close of each fiscal year, to transfer from the General Fund to the Guarantee Reserve Fund such additional amounts as may be available from time to time up to an amount of \$1,000,000 per year until a maximum of \$10,000,000 is achieved in that fund.

Sec. 2. 10 MRSA § 754, 6th sentence, as repealed and replaced by PL 1975, c. 566, § 10, is repealed and the following enacted in its place:

Proceeds received by the authority from the disposal, by sale or in some other means, of property it may have acquired in accordance with section 806 shall be credited either to the Mortgage Insurance Fund, the Guarantee Reserve Fund or the Debt Service Fund as directed by the State Controller.

Sec. 3. 10 MRSA § 802, 2nd sentence, as repealed and replaced by PL 1977, c. 78, § 33, is amended to read:

The Governor shall transfer to that fund sufficient moneys for the appropriate purpose from the State Contingent Account, **Guarantee Reserve Fund** or from the proceeds of bonds to be issued as provided in this section.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective April 24, 1981

CHAPTER 193

H. P. 266 — L. D. 329

AN ACT to Exempt Guide Dogs from Registration Fee Requirements During the Raising Period in Foster Homes.

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

Sec. 1. 7 MRSA § 3451, first ¶, 3rd sentence, as amended by PL 1975, c. 293, § 4, is further amended to read:

No city or town clerk shall issue a license for any dog until the applicant has filed with such clerk proof that such dog has been immunized against rabies in accordance with rules ~~and regulations~~ promulgated by the Commissioner of Human Services, provided the requirement of immunization may be waived by such clerk under conditions set forth by the Commissioner of Human Services.

Sec. 2. 7 MRSA § 3451, first ¶, as last amended by PL 1975, c. 293, § 4, is further amended by adding at the end a new sentence to read:

In the case of any guide dog or hearing dog kept prior to training or for breeding purposes as defined in this section, the commissioner shall accept valid proof of immunization against rabies provided by another state.

Sec. 3. 7 MRSA § 3451, 2nd ¶, as last amended by PL 1979, c. 773, § 17, is repealed and the following enacted in its place:

A fee of \$5.50 shall be paid the city or town clerk for each license issued on all dogs 6 months old or older capable of producing young. All dogs shall be considered capable of producing young unless a certificate issued by any licensed veterinarian stating that the dog, if female, was made incapable of producing young by spaying by him or, if male, was made incapable of producing young by sterilization by him, or upon examination by him is certified to be incapable of producing young or by previous registration, the owner has declared that the dog is incapable of producing young. When that certificate or registration accompanies the application, a fee of \$2 shall be paid for each license. In addition to the amount paid for a license and tag, each applicant shall pay the city or town clerk \$1 for recording and making a return to the Commissioner of Agriculture, Food and Rural Resources, except that a license and tag shall be issued by the city or town clerk, upon application, for any trained guide dog owned or kept by a blind person; for any trained hearing dog kept by a deaf person; or for any guide dog or hearing dog kept prior to training or for breeding purposes as defined in this paragraph, without payment of any fee required under this section. "Guide dog or hearing dog kept prior to training" means a dog under 18 months of age, owned by a nonprofit organization for the purpose of training as a guide dog or hearing dog, living temporarily with a resident of the State prior to training. "Guide dog or hearing dog kept for breeding purposes" means a male or female dog owned by a nonprofit organization for the purpose of producing puppies to be trained as guide dogs or hearing dogs, living with a resident of the State. In the case of a trained dog, if any such dog has not been previously registered or licensed by the town or city clerk to whom such application is being made, such town or city clerk shall not register such dog nor issue to the owner or keeper a license and tag therefor, unless written evidence is exhibited to him that the dog is trained and educated and intended to perform such guide service for such applicant.