

MAINE STATE LEGISLATURE

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LAWS

OF THE

STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

SECOND REGULAR SESSION
January 8, 1986 to April 16, 1986

SECOND SPECIAL SESSION
May 28, 1986 to May 30, 1986

AND AT THE

THIRD SPECIAL SESSION
October 17, 1986

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

J.S. McCarthy Co., Inc.
Augusta, Maine

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION
of the
ONE HUNDRED AND TWELFTH LEGISLATURE
1985

costs of obtaining, storing and distributing vaccine to accredited veterinarians and defining approved sources and procedures to regulate the use of this vaccine. The fees will accrue to a nonlapsing dedicated account to be used for obtaining, storing and distributing vaccine.

Any person who tampers, with an intent to change or destroy, with a vaccination identification ear tag, official state tattoo mark, tattoo number or the identification on a registration paper shall be subject to a civil penalty of \$5,000 for each incident, payable to the State, to be recovered in a civil action.

For the purpose of this section, the term "officially vaccinated" means a vaccination against brucellosis that complies with the requirements for such vaccination established by the United States Department of Agriculture.

Effective July 16, 1986.

CHAPTER 546

S.P. 655 - L.D. 1693

AN ACT to Permit the Transfer of Protection from Abuse Hearings from Superior Court to District Court.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, it is important that the people of the State have available to them the most expeditious process possible for receiving protection from abuse orders from the courts; and

Whereas, receipt of these orders will be expedited if the Superior Court may issue an emergency temporary protection from abuse order and then transfers the case to the District Court for further proceedings; 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 preser-

vation of the public peace, health and safety; now, therefore,

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

19 MRSA §765, sub-§2, as amended by PL 1985, c. 495, §12, is further amended to read:

2. Temporary orders. The court may enter any temporary orders authorized under subsection 4 as it deems necessary to protect the plaintiff or minor child from abuse, on good cause shown in an ex parte proceeding. Immediate and present danger of physical abuse to the plaintiff or minor child shall constitute good cause. Any order shall remain in effect pending a hearing pursuant to subsection 1. If the complaint is filed initially in the Superior Court, the justice, after authorizing any temporary order under this section, may order that further proceedings be transferred to the District Court of the division in which either the plaintiff or the defendant resides.

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

Effective February 28, 1986.

CHAPTER 547

S.P. 658 - L.D. 1696

AN ACT to Allow Justices of the Superior Court to Act on Requests for Preliminary Child Protection Orders.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, rapid receipt of preliminary protection orders in child protection proceedings is essential in protecting children from abuse and neglect; and

Whereas, it is sometimes difficult for those seeking to protect a child to find a District Court or Probate Court Judge available to issue the emergency, temporary protection order; and