

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND THIRTEENTH LEGISLATURE

FIRST SPECIAL SESSION

October 9, 1987 to October 10, 1987

SECOND SPECIAL SESSION

October 21, 1987 to November 20, 1987

and the

SECOND REGULAR SESSION

January 6, 1988 to May 5, 1988

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

Twin City Printery
Lewiston, Maine
1988

PUBLIC LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE
FIRST AND SECOND SPECIAL SESSIONS
and
SECOND REGULAR SESSION
of the
ONE HUNDRED AND THIRTEENTH LEGISLATURE
1987

Sec. 14. Transitional provisions. Transitional provisions are as follows.

1. **Personnel transferred.** The chairman of the Unemployment Insurance Commission shall serve until his term expires and a successor has been nominated and confirmed. The person serving as the director, adjudication, also known as the Director of the Division of Appeals, shall become the Chief Administrative Hearing Officer of the Division of Administrative Hearings. The persons serving as adjudication officers shall become administrative hearing officers. Personnel and support staff of the Appeals Division shall continue as staff for the Division of Administrative Hearings.

2. **Funds.** Funds allocated to the Division of Appeals shall be allocated in the same manner to the Division of Administrative Hearings.

3. **Equipment and property.** All equipment and property of the State used by the Division of Appeals shall be used by the Division of Administrative Hearings.

4. **Rules and procedures.** All rules and procedures currently in effect for the Division of Appeals shall be in effect for the Division of Administrative Hearings until amended or rescinded as provided by state law.

Effective August 4, 1988.

CHAPTER 642

H.P. 1817 — L.D. 2487

AN ACT to Prohibit Publication of Names of Concealed Weapon Permit Holders.

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

30 MRSA §2225, sub-§5-A is enacted to read:

5-A. Names of those issued concealed firearms permits. The names of persons issued concealed firearms permits under Title 25, chapter 252, may not be printed in the annual report.

Effective August 4, 1988.

CHAPTER 643

H.P. 1819 — L.D. 2493

AN ACT to Amend the Animal Control Laws.

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

Whereas, some courts have expressed concern that the

laws regarding dog control do not make it clear that the owner of the dog is responsible for its control; and

Whereas, in at least one case a law suit has been dismissed on this basis; and

Whereas, it is necessary to revise the laws promptly so that similar dismissals will not occur; 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. 7 MRSA §§3911 and 3912, as enacted by PL 1987, c. 383, §3, are amended to read:

§3911. Dogs not to run at large

It is unlawful for any dog, licensed or unlicensed, to run at large, except when used for hunting. The owner or keeper of any dog found running at large shall be subject to the penalties provided in this chapter.

§3912. Disposition of dogs at large

Any animal control officer or person acting in that capacity shall seize, impound or restrain any dog found in violation of section 3911 and deliver it to any shelter as provided for in section 3913, subsection 2, or shall take the dog to its owner, if known. ~~Such dogs shall be handled as stray and abandoned dogs.~~ If ownership cannot be established, such animals may be handled as strays for the purposes of acceptance by an approved shelter.

Sec. 2. 7 MRSA §3922, sub-§3, as enacted by PL 1987, c. 383, §3, is amended to read:

3. **Proof of immunization.** No municipal clerk may issue a license for any dog until the applicant has filed with the clerk proof that the dog has been immunized against rabies in accordance with rules promulgated by the Commissioner of Human Services, provided that the requirement of immunization may be waived by the clerk under conditions set forth by the Commissioner of Human Services.

In the case of any guide dog or hearing dog kept prior to training or for breeding purposes, the board shall accept valid proof of immunization against rabies provided by another state. The commissioner shall promulgate rules which allow the clerk and the board to accept valid proof of immunization against rabies provided by another state.

Sec. 3. 7 MRSA §3947, as enacted by PL 1987, c. 383, §3, is amended to read: