

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND FOURTEENTH LEGISLATURE
FIRST REGULAR SESSION

December 7, 1988 to July 1, 1989

Chapters 1 - 502

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
SEPTEMBER 30, 1989

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

J.S. McCarthy Company
Augusta, Maine
1989

PUBLIC LAWS
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4. **Records and reports.** Keep records of each case and make reports as required; and

5. **Money.** Collect and disburse money according to the order of the court having jurisdiction.

A. The officer shall make a detailed account under oath of all fines received.

B. The officer shall pay the fines collected to the appropriate county treasurer by the 15th day of the month following collection.

See title page for effective date.

CHAPTER 128

H.P. 243 - L.D. 355

An Act to Allow School Districts to Waive Up to 5 Days of Kindergarten for Screening

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

Whereas, screening of incoming kindergarten students is an essential activity for schools in order to identify special needs and other at-risk students and to permit the development of an appropriate curriculum for all students; and

Whereas, many schools would find it beneficial to conduct screening activities for incoming kindergarten students during the remainder of the current school year; and

Whereas, without enactment of this emergency legislation, the process for screening kindergarten students cannot be employed for next year's incoming kindergarten students; 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:

20-A MRSA §4801, sub-§1, ¶D is enacted to read:

D. A school administrative unit, operating under a plan approved by the commissioner, may provide for the use of up to 5 of the 175 instructional days required by this section to be used for screening incoming first year students for the purpose of identifying exceptional students and students at risk of school failure as required by state or federal law.

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

Effective May 12, 1989.

CHAPTER 129

H.P. 350 - L.D. 469

An Act Regarding the Consignment or Rental of Diseased Horses

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

17 MRSA §1012, as enacted by PL 1987, c. 383, §4, is amended to read:

§1012. Unlawful sale, consignment or rental of diseased horses

1. **Unlawful sale, consignment or rental of diseased horses.** A person is guilty of unlawful sale, consignment or rental of diseased horses if ~~he~~ that person receives, offers for sale or sells at private sale or public auction, consigns or rents any horse which, by reason of debility, disease or lameness or for other cause could not be worked in the State without violating the laws against cruelty to animals.

2. **Penalty.** Unlawful sale, consignment or rental of diseased horses is a Class E crime.

3. **Violation.** Any licensed auctioneer violating this section may be punished by loss of license in addition to other penalties provided by law.

4. **Exception.** This section shall not be construed to prohibit the sale to or the purchase of horses by humane societies.

See title page for effective date.

CHAPTER 130

H.P. 363 - L.D. 494

An Act to Provide a Sales Tax Exemption for Sales to Providers of Certain Support Systems for Single-parent Families

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

36 MRSA §1760, sub-§65 is enacted to read:

65. Incorporated nonprofit providers of certain support systems for single-parent families. Sales to incorporated nonprofit organizations engaged primarily in pro-

viding support systems for single-parent families for the development of psychological and economic self-sufficiency.

See title page for effective date.

CHAPTER 131

H.P. 404 - L.D. 547

An Act to Require a Tax Map Reference on a Declaration of Value

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

36 MRSA §4641-D, first ¶, as amended by PL 1985, c. 535, §13, is further amended to read:

Any deed, except as provided in this section, shall, when offered for recording, be accompanied by a statement or declaration prepared in duplicate and signed, subject to the penalties of perjury, by the parties to the transaction or their authorized representatives, declaring the consideration for the property thereby transferred and indicating the taxpayer identification numbers of the grantor and grantee. The statement or declaration shall include reference to the appropriate tax map and parcel number unless no tax map exists that includes that property, in which event the declaration shall indicate that no appropriate tax map exists. The exceptions to the foregoing are the following:

See title page for effective date.

CHAPTER 132

S.P. 250 - L.D. 580

An Act Relating to the Establishment of Reserve Funds by School Administrative Units

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

Sec. 1. 20-A MRSA §1312, first ¶, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

School administrative districts may establish a reserve fund ~~for school construction projects~~ as follows.

Sec. 2. 20-A MRSA §1312, sub-§1, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

1. Establishment. A school administrative district may establish a reserve fund for school construction projects, financing the acquisition or reconstruction of a specific or type of capital improvement or financing the acquisition of a specific item or type of capital equipment by including a request in the district budget and receiving voter approval. The board of directors shall be the trustee of the reserve fund. The reserve fund shall be deposited or invested by the treasurer under the direction of the board.

Sec. 3. 20-A MRSA §1706 is enacted to read:

§1706. Reserve fund

Community school districts may establish a reserve fund as follows:

1. Establishment. A community school district may establish a reserve fund for school construction projects, financing the acquisition or reconstruction of a specific or type of capital improvement or financing the acquisition of a specific item or type of capital equipment by including a request in the district budget and receiving voter approval.

The district school committee shall be the trustee of the reserve fund. The reserve fund shall be deposited or invested by the treasurer under the direction of the school committee.

2. Deposit or investment. All district funds, including reserve funds and trust funds to the extent that the terms of the instrument or vote creating the fund do not prohibit, shall be deposited or invested by the treasurer under the direction of the district school committee according to the requirements for the deposit or investment of municipal funds contained in Title 30-A, section 5706.

3. Expending money from reserve funds. The district school committee may expend the sum in the reserve fund when authorized to do so by a vote of the district at a district meeting or a district budget meeting, when an article for that purpose is set out in the warrant calling the meeting.

Sec. 4. 20-A MRSA §8468 is enacted to read:

§8468. Reserve fund

Vocational regions may establish a reserve fund as follows.

1. Establishment. A vocational region may establish a reserve fund for school construction projects, financing the acquisition or reconstruction of a specific or type of capital improvement or financing the acquisition of a specific item or type of capital equipment by including a request in the region budget and receiving approval. The cooperative board shall be the trustee of the reserve fund. The reserve fund shall be deposited or invested by the treasurer under the direction of the cooperative board.

2. Deposit or investment. All region funds, including reserve funds and trust funds to the extent that the terms of the instrument or vote creating the fund do not prohibit, shall be deposited or invested by the treasurer under the direction of the cooperative board according to the requirements for the deposit or investment of municipal funds contained in Title 30-A, section 5706.

3. Expending money from reserve funds. The cooperative board may expend the sum in the reserve fund as a result of a request in the region budget which is approved. A separate article for that purpose must be set out in the region budget proposal.

See title page for effective date.