

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

**SECOND SPECIAL SESSION**

December 12, 1991 to January 7, 1992

**SECOND REGULAR SESSION**

January 8, 1992 to March 31, 1992

THE GENERAL EFFECTIVE DATE FOR  
SECOND REGULAR SESSION  
NON-EMERGENCY LAWS IS  
JUNE 30, 1992

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

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J.S. McCarthy Company  
Augusta, Maine  
1992

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**PUBLIC LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED AT THE**  
**SECOND REGULAR SESSION**

**of the**  
**ONE HUNDRED AND FIFTEENTH LEGISLATURE**

**1991**

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a guardian is not legally obligated to provide from his the guardian's own funds for the ward and is not liable to 3rd persons by reason of the parental relationship for acts of the ward. In particular, and without qualifying the foregoing, a guardian has the following powers and duties:

**Sec. 3. 18-A MRSA §5-209, sub-§§(b) and (d)**, as enacted by PL 1979, c. 540, §1, are amended to read:

(b) He The guardian may receive money payable for the support of the ward to the ward's parent, guardian or custodian under the terms of any statutory benefit or insurance system, or any private contract, devise, trust, conservatorship or custodianship. He The guardian also may receive money or property of the ward paid or delivered by virtue of section 5-103. Any sums so received shall must be applied to the ward's current needs for support, care and education. He The guardian must exercise due care to conserve any excess for the ward's future needs unless a conservator has been appointed for the estate of the ward, in which case excess shall must be paid over at least annually to the conservator. Sums so received by the guardian are not to be used for compensation for his the guardian's services except as approved by order of court or as determined by a duly appointed conservator other than the guardian. If there is no conservator, the excess funds must be turned over to the minor when the minor attains majority. A guardian may institute proceedings to compel the performance by any person of a duty to support the ward or to pay sums for the welfare of the ward.

(d) A guardian must report the condition of his the ward and of the ward's estate which has been subject to his that guardian's possession or control, as ordered by court on petition of any person interested in the minor's welfare or as required by court rule. If the guardian has received any funds pursuant to section 5-103, the guardian shall account to the court and the minor regarding how the funds were expended prior to the termination of that person's responsibilities as guardian.

**Sec. 4. 18 MRSA §5-419, sub-§(a)**, as enacted by PL 1985, c. 440, §§12 and 13, is amended to read:

(a) Every conservator must account to the court for his the administration of the trust as specified by the court at the time of the initial order or at the time of a subsequent order or as provided by court rule and upon his resignation or removal. On termination of the protective protected person's minority or disability, a conservator may account to the court or he may account to the former protected person or his that person's personal representative. Prior to the termination of the protected person's minority and the termination of any extension ordered pursuant to section 5-408, paragraph (6), the conservator must account to the court and the protected person.

**Sec. 5. 33 MRSA §1670, sub-§5** is enacted to read:

**5. Accounting required at termination.** Prior to the termination of the custodian's responsibilities, the custodian shall account to the court and the minor.

See title page for effective date.

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## CHAPTER 642

S.P. 519 - L.D. 1397

### An Act to Establish a Seasonal Permit for the Sale of Deer Hides

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

**12 MRSA §7352-A** is enacted to read:

#### **§7352-A. Special hide dealer's license**

**1. Issuance.** The commissioner may issue a special hide dealer's license to any person who maintains a place of business for the butchering of wild animals within this State. The special hide dealer's license permits a holder commercially to sell or barter the heads or untanned hides of deer or moose that are butchered in the license holder's place of business.

**2. Expiration.** All licenses issued under this section are valid for a period commencing October 1st and ending December 31st of the year in which the license is issued.

**3. Fee.** The annual fee for a special hide dealer's license is \$10.

**4. Restrictions.** Each licensee shall keep a true and complete record, in such form as is required by the commissioner, of all hides bartered or sold.

The record must be open for inspection by the commissioner or the commissioner's agent, and must be filed with the commissioner, after being notarized, on or before February 1st of the following year.

See title page for effective date.

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## CHAPTER 643

H.P. 1427 - L.D. 2039

### An Act to Clarify the Status of Wood Yard Debris

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