

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWENTIETH LEGISLATURE
FIRST REGULAR SESSION
December 6, 2000 to June 22, 2001

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FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
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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
2001

CHAPTER 127

S.P. 524 - L.D. 1647

An Act to Allow Averaging of Unallocated Balances Over 3% for School Budgets

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

Sec. 1. 20-A MRSA §15613, sub-§9, as amended by PL 1985, c. 797, §61, is further amended to read:

9. Balance of allocations. Notwithstanding any other public or private statute, general operating fund balances at the end of a school administrative unit's fiscal year ~~shall~~ must be carried forward to meet the ~~next year's school~~ school's needs in the next year or over a period not to exceed 3 years. Unallocated balances in excess of 3% of the previous year's school budget ~~shall~~ must be used to reduce the state and local ~~allocations~~ share of the foundation allocation for the purpose of computing state subsidy. School boards have the discretion of carrying forward unallocated balances in excess of 3% of the previous year's school budget and disbursing these funds in the next year or over a period not to exceed 3 years.

See title page for effective date.

CHAPTER 128

H.P. 525 - L.D. 680

An Act to Bring the Crime of Refusing to Submit to Arrest or Detention into Conformity with the Maine Criminal Code

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

Sec. 1. 17-A MRSA §751-A, sub-§2, as enacted by PL 1997, c. 351, §3, is repealed and the following enacted in its place:

2. It is a defense to prosecution under this section that the person reasonably believed that the person attempting to effect the arrest or detention was not a law enforcement officer.

See title page for effective date.

CHAPTER 129

H.P. 584 - L.D. 739

An Act to Require That Wolf Hybrids be Permanently Identified and to Establish Penalties for Releasing Wolf Hybrids from Captivity

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

Sec. 1. 7 MRSA §3911-A is enacted to read:

§3911-A. Abandonment of wolf hybrid

A person who abandons a wolf hybrid commits a civil violation for which a forfeiture not to exceed \$1,000 may be adjudged. For the purposes of this section "abandon" means to desert. For enforcement purposes a wolf hybrid is abandoned if the animal is found a distance of more than 5 miles from the premises of the owner and is not under the control of any person.

Sec. 2. 7 MRSA §3921-A is enacted to read:

§3921-A. Permanent identification of wolf hybrids

The commissioner shall adopt rules to establish methods of identifying wolf hybrids through tattooing, the placement of a microchip under the animal's skin or any other method determined by the commissioner as adequately providing a permanent means of identification on the body of the animal. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter II-A. A person may not own or keep a wolf hybrid unless the animal has identification in compliance with the rules adopted under this section.

Sec. 3. 7 MRSA §3922, sub-§3-B is enacted to read:

3-B. Proof of permanent identification. A municipal clerk may not issue a license for a wolf hybrid until the applicant has filed with the clerk proof that the wolf hybrid has been permanently identified in accordance with section 3921-A.

Sec. 4. 7 MRSA §3931-B is enacted to read:

§3931-B. Wolf hybrid kennel

The requirements of this section apply to a wolf hybrid kennel, as defined in subsection 1. A person maintaining a wolf hybrid kennel that also is a breeding kennel as defined in section 3907, subsection 8-A is also subject to the licensing requirements in section 3931-A.