

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

AS PASSED BY THE

## One Hundred and Fifth Legislature

OF THE

# STATE OF MAINE

Published by the Director of Legislative Research in accordance with  
the Revised Statutes of 1964, Title 3 Section 164, Subsection 6.

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THE KNOWLTON AND MCLEARY COMPANY  
FARMINGTON, MAINE  
1971

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PUBLIC LAWS  
OF THE  
STATE OF MAINE  
AS PASSED BY THE  
One Hundred and Fifth Legislature  
1971

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13. Secured transactions. For receiving, indexing and filing original statements in secured transactions, the sum of \$5;

For receiving, filing and indexing any subsequent statement concerning a secured transaction, such as a continuation or assignment, where the original statement thus modified is already on file, the sum of \$3; and where the original statement is not on file, the sum of \$5;

For receiving, filing and indexing the discharge or termination statement of an original financing statement filed prior to April 1, 1970, the charge prescribed in Title 11, section 9-404; of one filed on or after April 1, 1970, no charge;

14. Abstracts and copies. Making abstracts and copies from the records, a reasonable fee as determined by the county commissioners;

15. When payable. Fees provided by this section shall be paid when the instrument is offered for record, except that fees payable by the State shall be paid monthly by the department or agencies requesting the recording, upon rendition of bills by the register of deeds. Said bills shall be paid within 10 days of receipt of same by the department or agencies.

Effective September 23, 1971

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## Chapter 322

### AN ACT to Amend the Laws Relating to Forcible Entry and Detainer.

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

Sec. 1. R. S., T. 14, § 6001, amended. Section 6001 of Title 14 of the Revised Statutes is amended by adding at the end the following 2 new paragraphs:

The process of forcible entry and detainer shall not be maintained against a tenant by a 3rd party lessee, grantee, assignee or donee of the tenant's premises, if the primary purpose of any conveyance to such lessee, assignee, grantee or donee is to accomplish eviction of the tenant.

Where the tenant proves that within the past 6 months he has complained as an individual, or that a complaint has been made in his behalf, in good faith of conditions in or affecting his dwelling unit which may constitute a violation of a building, housing, sanitary or other code, ordinance, regulation or statute, presently or hereafter adopted, to a body charged with enforcement of such code, ordinance, regulation or statute or such a body has filed a notice or complaint of such a violation, a presumption shall arise that the action of forcible entry and detainer was commenced in retaliation for such complaint or notice. No writ of possession shall issue in the absence of rebuttal of the presumption of retaliation. No writ of possession shall issue when the tenant proves that the action of forcible entry and detainer was commenced in retaliation for the tenant's membership in an organization concerned with landlord-tenant relationships.

Sec. 2. R. S., T. 14, § 6002, amended. The first 2 sentences of section 6002 of Title 14 of the Revised Statutes are amended to read as follows:

Tenancies at will ~~may~~ must be ~~determined~~ terminated by either party by 30 days' notice, except as provided in subsection 1, in writing for that purpose given to the other party, and not otherwise ~~save by mutual consent~~, excepting cases where the tenant, if liable to pay rent, shall not be in arrears at the expiration of the notice, in which case the 30 days' notice shall be made to expire upon a rent day, provided that either party may waive in writing said 30 days' notice at the time said notice is given, and at no other time prior to the giving of such notice. ~~Either party may waive in writing said 30 days' notice or any part thereof.~~

Sec. 3. R. S., T. 14, § 6002, sub-§ 1, additional. Section 6002 of Title 14 of the Revised Statutes is amended by adding a new subsection 1 to read as follows:

1. Causes for 7-day notice of termination of tenancy. Notwithstanding any other provisions of this chapter, in the event that the landlord can show, by affirmative proof, that the tenant, the tenant's family or invitee of the tenant has caused intentional and substantial damage to the demised premises, has caused or permitted a nuisance within said premises, or has violated or permitted a violation of the law regarding said tenancy, or when the tenant is 30 days or more in arrears in payment of his rent, the tenancy may be terminated by the landlord by 7 days' notice in writing for that purpose given to the tenant.

Effective September 23, 1971

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## Chapter 323

### AN ACT Restricting the Sale or Use of Detergents Containing Phosphate.

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

R. S., T. 38, § 418, additional. Title 38 of the Revised Statutes is amended by adding a new section 418 to read as follows:

#### § 418. Cleaning agents containing phosphate banned

##### 1. Definitions.

A. Dairy equipment. "Dairy equipment", as used in this section, means equipment used by farmers or processors for the manufacture or processing of milk and dairy products.

B. Food processing equipment. "Food processing equipment", as used in this section, means equipment used for the processing and packaging of food for sale, except that equipment used at restaurants and similar places of business shall not be included within the meaning of "food processing equipment."