

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

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Augusta, Maine
1979

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Treasury shall be upon the authorization of the State Controller and the Treasurer of State, as evidenced by their facsimile signatures, except that the Treasurer of State may authorize interbank and intrabank transfers for purposes of pooled investments. Disbursements shall be in the form of a check against a designated bank or trust company acting as a depository of the State Government.

Effective September 14, 1979

CHAPTER 313

S. P. 199 — L. D. 495

AN ACT Relating to Occupational Loss of Hearing.

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

39 MRSA § 193, sub-§ 3, 2nd sentence, as enacted by PL 1967, c. 374, § 6, is amended to read:

Hearing levels shall be measured by means of pure-tone ~~ear-conduction~~ **air-conduction** audiometric instruments calibrated in accordance with American Standard ~~Z24.5, 1951, American Standards Association, March 21, 1951~~ **National Standards Institute Standard S3.22-1976**, and in an area with ambient noise level within the limits specified in American Standards Association Criteria for Background Noise in Audiometric Room S3.1, 1960.

Effective September 14, 1979

CHAPTER 314

S. P. 206 — L. D. 538

AN ACT to Prevent Cruelty to Animals by Establishing Certain Licensing Categories and Restrictions.

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

7 MRSA § 3451, as last amended by PL 1977, c. 696, § 104, is further amended by adding after the 11th paragraph which begins "Boarding kennel" a new paragraph to read:

The commissioner shall not issue a license to maintain a kennel, boarding

kennel or pet shop to any person, partnership or corporation which has, within the 5 years previous to the application for the license, been convicted of a criminal violation or civil violation under this Part or Title 17, chapter 43, which violation involves cruelty to animals.

Effective September 14, 1979

CHAPTER 315

H. P. 1378 — L. D. 1603

AN ACT Protecting Security Deposits.

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

14 MRSA § 6038 is enacted to read:

§ 6038. Treatment of security deposit

During the term of a tenancy, a security deposit given to a landlord as part of a residential rental agreement shall not be treated as an asset to be commingled with the assets of the landlord. All security deposits received after October 1, 1979, shall be held in an account of a bank or other financial institution under such terms as will place the security deposit beyond the claim of creditors of the landlord, including a foreclosing mortgagee or trustee in bankruptcy, and as will provide for transfer of the security deposit to a subsequent owner of the dwelling unit. Upon request by his tenant, a landlord shall disclose the name of the institution and the account number where the security deposit is being held. A landlord may use a single escrow account to hold security deposits from all of his tenants. Notwithstanding section 6037, this section shall not apply to any tenancy for a residential dwelling unit owned by a landlord who owns a total of 5 or fewer rental dwelling units.

Effective September 14, 1979

CHAPTER 316

H. P. 1109 — L. D. 1372

AN ACT Concerning State Highways and Parking on State Controlled Property.

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