

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

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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:

Sec. 1. 23 MRSA § 951, as amended by PL 1971, c. 593, § 22, is further amended to read:

§ 951. **Planting**

The department may ~~subject to the consent of abutting landowners~~ cause or allow grasses, shrubs, vines and trees to be planted and maintained along state and state aid highways, to be paid for as part of the cost of construction and maintenance of highways. ~~This cost shall not exceed \$1,500 per year~~

Sec. 2. 29 MRSA § 1111, 2nd ¶, as amended by PL 1971, c. 593, § 22, is further amended to read:

The Department of Transportation with respect to highways **and other property** under its jurisdiction may place signs prohibiting or restricting the stopping, standing or parking of vehicles on any highway, or within 10 feet from the nearer outside line of the traveled way of a public highway, **or on any property under its jurisdiction**, where in its opinion, as evidenced by resolution or order entered in its minutes, such stopping, standing or parking is dangerous to those using the highway or where the stopping, standing or parking of vehicles would unduly interfere with the free movement of traffic thereon. Such signs shall be official signs and no person shall stop, stand or park any vehicle in violation of the restriction stated on such signs.

Sec. 3. 29 MRSA § 1111, 3rd ¶ is amended to read:

When an officer finds a vehicle standing on a highway **or the department finds a vehicle standing on property under its jurisdiction** in violation of this section, he **or the department in regard to property under its jurisdiction** may move the vehicle or require the driver or person in charge of the vehicle to move it to a position permitted under this section.

Sec. 4. 29 MRSA § 1111, 5th ¶, first sentence, as repealed and replaced by PL 1967, c. 174, is amended to read:

An officer may cause any vehicle parked, disabled or abandoned on any way so as to interfere with or hinder the removal of snow or the normal movement of traffic, or parked within the limits of a highway right-of-way, **and the Department of Transportation may cause any vehicle parked or standing on property under its jurisdiction**, to be removed from the way and placed in a suitable parking place, at the expense of the person in whose name such vehicle is registered.

Effective September 14, 1979

CHAPTER 317

H. P. 292 — L. D. 389

AN ACT Authorizing the Issuing of Ex Parte Orders by the Courts and Complaint