MAINE STATE LEGISLATURE

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LAWS

OF THE

STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND SEVENTEENTH LEGISLATURE

SECOND SPECIAL SESSION
September 5, 1996 to September 7, 1996

ONE HUNDRED AND EIGHTEENTH LEGISLATURE

FIRST REGULAR SESSION
December 4, 1996 to March 27, 1997

FIRST SPECIAL SESSION
March 27, 1997 to June 20, 1997

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 26, 1997

FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 1997

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
1997

D. The public interest will not be adversely affected by granting the injunction.

See title page for effective date.

CHAPTER 261

H.P. 504 - L.D. 695

An Act to Amend Security Deposit Provisions for Residential Rental Units

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

Sec. 1. 14 MRSA §6031, sub-§1, as amended by PL 1981, c. 428, §11, is further amended to read:

1. Normal wear and tear. "Normal wear and tear" means ~~that~~ the deterioration ~~which~~ that occurs, based upon the use for which the rental unit is intended, without negligence, carelessness, accident or abuse of the premises or equipment or chattels by the tenant or members of ~~his~~ the tenant's household or their invitees or guests. The term "normal wear and tear" does not include sums or labor expended by the landlord in removing from the rental unit articles abandoned by the tenant such as trash. If a rental unit was leased to the tenant in a habitable condition or if it was put in a habitable condition by the landlord during the term of the tenancy, normal wear and tear does not include sums required to be expended by the landlord to return the rental unit to a habitable condition, which may include costs for cleaning, unless expenditure of these sums was necessitated by actions of the landlord, events beyond the control of the tenant or actions of someone other than the tenant or members of ~~his~~ the tenant's household or their invitees or guests.

See title page for effective date.

CHAPTER 262

S.P. 228 - L.D. 797

An Act to Create Equity in the Taxation of Special Fuels

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

Sec. 1. 36 MRSA §3203, as repealed and replaced by PL 1995, c. 271, §5, is amended to read:

§3203. Tax levied; consignment sales; credited to Highway Fund

Except as provided in section 3204-A, an excise tax is levied and imposed on all suppliers of special fuel sold and on all users of special fuel used in this State for each gallon of distillate at the rate of 20¢ per gallon and for each gallon of low-energy fuel at the rate of 18¢ per gallon. When special fuel is delivered by a supplier on a consignment basis to a consumer or to a retail outlet, whether or not the retail outlet is wholly owned by the supplier, it is considered to have been "sold" within the meaning of this Act. All taxes and fines collected under this chapter must be credited to the Highway Fund. An allowance of not more than 1% from the amount of propane received by the distributor, plus 1% on all transfers in vessels, tank care or full tank truck loads by a distributor in the regular course of business from one of the distributor's places of business to another of the distributor's places of business within the State, may be allowed by the State Tax Assessor to cover the loss through shrinkage, evaporation or handling sustained by the distributor.

See title page for effective date.

CHAPTER 263

S.P. 361 - L.D. 1220

An Act to Require Economic Impact Criteria on State Procurement Procedures

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

Sec. 1. 5 MRSA §1825-B, sub-§7, as amended by PL 1991, c. 780, Pt. Y, §70, is further amended to read:

7. Awards to best-value bidder. Except as otherwise provided by law, orders awarded or contracts made by the Director of the Bureau of General Services or by any department or agency of the State must be awarded to the ~~lowest responsible~~ best-value bidder, taking into consideration the qualities of the goods or services to be supplied, their conformity with the specifications, the purposes for which they are required, the date of delivery and the ~~ultimate cost to~~ best interest of the State. If the bidder that was initially awarded the order or contract does not perform, the Director of the Bureau of General Services may cancel the contract and award a new contract to the 2nd ~~lowest responsible~~ best-value bidder. The order or contract may not be awarded to a bidder that the Director of the Bureau of General