

MAINE STATE LEGISLATURE

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L.D. 331

(Filing No. S- 31)

STATE OF MAINE
SENATE
114TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " A " to S.P. 174, L.D. 331, Bill, "An Act to Establish a Maine Self-service Storage Act"

Amend the bill in that part designated "§1371." in subsection 8 in the 3rd line (page 1, line 54 in L.D.) by inserting after the following: "spaces" the following: 'under a written rental agreement'

Further amend the bill in that part designated "§1373." in subsection 3 by inserting at the end the following:

'C. Notwithstanding paragraph B, an operator may immediately dispose of goods under this section if they constitute a threat to health, safety or welfare. The operator shall immediately notify the occupant of this action following the procedures of paragraph B, subparagraph (1).'

Further amend the bill in that part designated "§1374." in subsection 2 by striking out all of paragraph C and inserting in its place the following:

'C. That a sale shall be held at the self-service storage facility where the personal property is stored or at the nearest suitable location.'

Further amend the bill in that part designated "§1375." in subsection 2 in the first line (page 3, line 14 in L.D.) by striking out the following: "Before" and inserting in its place the following: 'As soon as the occupant is in default and before'

Further amend the bill in that part designated "§1375." in subsection 2 by striking out all of paragraph A.

Further amend the bill in that part designated "§1375." in subsection 2 in paragraph B in the first line (page 3, line 21 in L.D.) by striking out the following: "2nd notice of default by"

1 and inserting in its place the following: 'notice of default by
2 regular mail and by'

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4 Further amend the bill in that part designated "§1375." in
5 subsection 2 by striking out all of paragraph C and inserting in
6 its place the following:

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8 'C. Publish an advertisement of the sale once a week for 2
9 consecutive weeks in a newspaper of general circulation in
10 the city or town where the sale is to be held. The
11 advertisement must include a general description of the
12 property as set forth in the rental agreement, the name of
13 the person on whose account it is being held and the time
14 and place of the sale. The sale must take place at least 15
15 days after the first publication.'

16 Further amend the bill in that part designated "§1375." in
17 subsection 2 by relettering the paragraphs to read consecutively.

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19 Further amend the bill in that part designated "§1375." in
20 subsection 9 in the 2nd line (page 4, line 45 in L.D.) by
21 inserting after the following: "operator" the following: ', by
22 making provision in the written rental agreement.'

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STATEMENT OF FACT

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26 This amendment accomplishes the following:

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28 1. By defining self-service storage as requiring a contract,
29 it eliminates coin-operated lockers from the provisions of the
30 bill;

31 2. Allows the operator to immediately remove dangerous
32 goods from the leased space when they present a hazard to the
33 public health or safety;

34 3. Makes it clear that the operator may sell property
35 stored in a defaulted leased space after 45 days and that the
36 required notification to the occupant may take place during that
37 45 days;

38 4. Makes it clear that the notification by regular mail and
39 certified mail may take place at the same time;

40 5. Allows the required newspaper advertisements to be run
41 at the same time the required mailings are sent; and

42

43 6. Makes it clear that the occupant retains care and
44 custody of goods in a defaulted space until the sale of those
45 goods, unless the lease specifically denies a defaulting occupant
46 access to the leased space.
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