

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND FOURTEENTH LEGISLATURE
FIRST SPECIAL SESSION

August 21, 1989 to August 22, 1989

and

SECOND REGULAR SESSION

January 3, 1990 to April 14, 1990

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
July 14, 1990

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
1990

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION

of the
ONE HUNDRED AND FOURTEENTH LEGISLATURE

January 3, 1990 to April 14, 1990

state in detail other arrangements which have been made to accommodate outstanding liabilities; and

(3) Sent a copy ~~thereof~~ of the statement to all distributees, to all persons who would have a claim to succession under the testacy status upon which the personal representative is authorized to proceed, and to all creditors or other claimants of whom ~~he~~ the personal representative is aware whose claims are neither paid nor barred and has furnished a full account in writing of ~~his~~ the personal representative's administration to the distributees whose interests are affected thereby.

Sec. 8. 18-A MRSA §3-1006, as enacted by PL 1979, c. 540, §1, is amended to read:

§3-1006. Limitations on actions and proceedings against distributees

Unless previously adjudicated in a formal testacy proceeding or in a proceeding settling the accounts of a personal representative or otherwise barred, the claim of any claimant to recover from a distributee who is liable to pay the claim, and the right of ~~any an~~ heir or devisee, or of a successor personal representative acting in their behalf, to recover property improperly distributed or ~~the~~ its value ~~thereof~~ from any distributee is forever barred at the later of ~~(1) three~~ 3 years after the decedent's death; or ~~(2) one year~~ one year after the time of its distribution ~~thereof~~, but all claims of creditors of the decedent are barred one year after the decedent's death. This section does not bar an action to recover property or value received as the result of fraud.

Sec. 9. 18-A MRSA §7-501, as enacted by PL 1979, c. 540, §1, is amended by adding after the first paragraph 2 new paragraphs to read:

As used in this Part, "common trust fund" means any trust or fund maintained by a bank or trust company exclusively for the collective investment or reinvestment of money contributed thereto by the bank or trust company, or an affiliated bank or trust company, as a fiduciary, including a trustee of any trust or fund for the primary purpose of paying employee benefits of any kind.

As used in this Part, "fiduciary" includes trustee, executor, administrator, guardian and custodian under a uniform transfers to minors act.

See title page for effective date.

CHAPTER 662

H.P. 1499 - L.D. 2076

An Act to Clarify Mobile Home Tenants' Rights

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

10 MRSA §9097, sub-§1, ¶G, as amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. B, §4 and Pt. C, §§8 and 10, is repealed and the following enacted in its place:

G. Renovation or reconstruction of any portions of the park, if:

(1) In the case of a temporary eviction, the park owner or operator:

(a) Gives affected tenants 30 days' notice in writing, unless the temporary eviction is necessary to correct conditions posing an immediate threat to one or more tenants' health or safety; and

(b) Pays the removal and relocation costs of tenants, except for those tenants who agree otherwise in a signed writing separate from the lease; or

(2) In the case of a permanent eviction, other than an eviction due to reconstruction or renovation required by a federal, state or local governmental body, of one or more mobile homes currently located in the park, the park owner or operator:

(a) Gives each tenant one year's notice in writing; or

(b) To each tenant for whose home the park owner has found a reasonable alternative location acceptable to the tenant, gives 6 months' written notice and pays removal and relocation costs;

See title page for effective date.

CHAPTER 663

H.P. 1522 - L.D. 2107

An Act Prohibiting Membership in a Trade or Similar Association from Being a Condition for Licensing or Certifying a Producer's Food as Natural or Organic

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

7 MRSA §556, as enacted by PL 1979, c. 240, §§1 and 2, is amended to read:

§556. Certification

No food which is labeled or advertised as natural, organic, organically grown, biologically grown or by a similar term, may be labeled or advertised as "certified" unless the name of the person or organization which