

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1990 to July 10, 1991

Chapters 1 - 590

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
OCTOBER 9, 1991

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J.S. McCarthy Company
Augusta, Maine
1991

PUBLIC LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE

FIRST REGULAR SESSION

of the

ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

CHAPTER 264

H.P. 932 - L.D. 1352

An Act to Increase the Late Fee for Dog Licenses

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

Sec. 1. 7 MRSA §3943, sub-§1, as enacted by PL 1987, c. 383, §3, is amended to read:

1. Procedure. Between January 1st and April 30th annually, the municipal officers of each municipality shall issue a warrant with the names and addresses of all owners or keepers of unlicensed dogs to one or more police officers, constables, sheriffs or animal control officers, directing them to send a notice of violation by certified mail, return receipt requested, to the last-known address of the owners or keepers or call on the owners or keepers. The warrant ~~shall~~ must further direct that demand be made on the owners or keepers to obtain a license from the municipal clerk within 7 days from the date of demand and remit to the clerk the license and recording fees plus a late fee of ~~\$4~~ \$6. Finally, the warrant ~~shall~~ must direct the police officer, constable, sheriff or animal control officer to enter summons and complaint as soon as possible for all owners or keepers so notified who fail to comply with the order.

Sec. 2. 7 MRSA §3943, sub-§3, ¶A, as enacted by PL 1987, c. 383, §3, is amended to read:

A. The municipal clerk shall deposit the ~~\$4~~ \$6 late fee collected from all dog owners and keepers in a separate account pursuant to section 3945.

See title page for effective date.

CHAPTER 265

H.P. 873 - L.D. 1259

An Act to Clarify the Landlord's Handling of Abandoned Property

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

Sec. 1. 14 MRSA §6013, as amended by PL 1987, c. 691, §1, is further amended to read:

§6013. Property abandoned by tenant

Any property with a total value of ~~\$100~~ \$500 or more that is abandoned or unclaimed by a tenant following the tenant's vacating the rental unit ~~shall~~ must be disposed of according to Title 33, chapter 37.

The landlord shall place in storage in a safe, dry, secured location any property with a total value of less than ~~\$100~~ \$500 that is abandoned or unclaimed by a tenant following the tenant's vacating the rental unit. The landlord shall send written notice by first class mail with proof of mailing to the last known address of the tenant concerning the landlord's intent to dispose of the abandoned property. The notice must include an itemized list of the items and containers of items of property abandoned. If the tenant claims the property within 14 days after the notice is sent, the landlord shall continue to store the property for at least 10 days after the tenant's response to allow the tenant time to take possession of the property. The landlord may condition the release of the property to the tenant upon the tenant's payment of all rental arrearages, damages and costs of storage. If the property remains unclaimed after the 14th day after notice has been sent or after the 10th day after the tenant claims the property, the landlord may sell the property for a reasonable fair market price and apply all proceeds to rental arrearages, damages and costs of storage and sale. All remaining balances ~~shall~~ must then be forwarded to the Treasurer of State.

Sec. 2. 33 MRSA §1818, sub-§1, as enacted by PL 1987, c. 691, §4, is amended to read:

1. Presumption of abandonment. Tangible and intangible property, held by a landlord, that has been left on the premises after a tenant has terminated tenancy or vacated the premises ~~shall be~~ is presumed abandoned if it has not been claimed within 14 days after written notice has been sent by first class mail with proof of mailing to the last known address of the tenant, or if the tenant has not taken possession of the property within 10 days after ownership has been claimed.

Sec. 3. 33 MRSA §1818, sub-§1-A, as enacted by PL 1989, c. 369, §1, is repealed.

Sec. 4. 33 MRSA §1818, sub-§2, as enacted by PL 1987, c. 691, §4, is repealed and the following enacted in its place:

2. Property worth more than \$500. Tangible property presumed to be abandoned under this section that has a fair market value greater than \$500 must be reported to the administrator as required by this Act. If the administrator refuses delivery of the property and authorizes a holder to sell that property, the landlord shall sell the property in a commercially reasonable manner in accordance with any requirements imposed by the administrator.

A. After the sale of the property, the landlord may apply any proceeds from the sale to unpaid rent, damages to the premises and the expenses of storage, notice and sale. Any balance and the records of the sale must be reported and delivered to the administrator in accordance with the provisions of this Act.