

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE

FIRST REGULAR SESSION
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IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4

J.S. McCarthy Company
Augusta, Maine
1995

CHAPTER 85**H.P. 512 - L.D. 700****An Act Concerning Fraudulent Redemptions****Be it enacted by the People of the State of Maine as follows:**

Sec. 1. 32 MRSA §1866, sub-§8, as enacted by PL 1993, c. 703, §1, is amended to read:

8. Application to containers originally sold in the State. The obligations to accept or take empty beverage containers and to pay the refund value and handling fees for such containers as described in subsections 1, 2, 3, 4 and 5 apply only to containers originally sold in this State as filled beverage containers. A person who, ~~for the purpose of obtaining a refund value or handling fee,~~ tenders to a dealer, distributor, redemption center or bottler more than ~~40~~ 48 empty beverage containers ~~in each ease with 24~~ in each ease that the person knows or has reason to know were not originally sold in this State as filled beverage containers is subject to the enforcement action and civil penalties set forth in this subsection. At each location where customers tender containers for redemption, dealers and redemption centers must conspicuously display a sign in letters that are at least one inch in height with the following information: "WARNING: Persons tendering containers for redemption that were not originally purchased in this State may be subject to a fine of the greater of \$100 per container or \$25,000 for each tender. (32 MRSA Section 1866)." A person who violates the provisions of this subsection is subject to a civil penalty of the greater of \$100 for each container or \$25,000 for each tender of containers.

See title page for effective date.

CHAPTER 86**S.P. 274 - L.D. 724****An Act Regarding the Disclosure of Financial Information by Federally or State-chartered Credit Unions****Be it enacted by the People of the State of Maine as follows:**

Sec. 1. 9-B MRSA §161, sub-§2, ¶1, as amended by PL 1989, c. 368, §1, is further amended to read:

I. Any disclosure of records made pursuant to Title 22, section 16 or 4314;

Sec. 2. 22 MRSA §4314, sub-§2, as amended by PL 1991, c. 626, §4, is further amended to read:

2. Financial institutions. A treasurer of any bank, federally or state-chartered credit union, trust company, benefit association, insurance company, safe deposit company or any corporation or association receiving deposits of money, except national banks, shall, on request in writing signed by the overseer of any municipality or its agents, or by the Commissioner of Human Services or the commissioner's agents or by the Commissioner of Defense and Veterans' Services or the commissioner's agents, inform that overseer or the Department of Human Services or the Division of Veterans' Services of the amount deposited in the corporation or association to the credit of the person named in the request, who is a charge upon the municipality or the State, or who has applied for support to the municipality or the State.

See title page for effective date.

CHAPTER 87**H.P. 163 - L.D. 211****An Act to Exempt Motor Homes from the Sunday Sales Law**

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, motor homes are currently considered to be motor vehicles in terms of the law that forbids Sunday sales; and

Whereas, the Federal Government treats motor homes as homes in terms of tax deductions; and

Whereas, motor home dealers also sell travel trailers, which can be sold on Sundays; and

Whereas, the great majority of motor homes are sold in the spring and summer; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 17 MRSA §3203, as amended by PL 1979, c. 127, §124, is further amended to read:

§3203. Sales of motor vehicles prohibited

~~Any~~ Except as provided in section 3203-A, any person who ~~shall carry~~ carries or ~~engage~~ engages in the business of buying, selling, exchanging, dealing or trading in new or used motor vehicles; or who ~~shall open~~ opens any place of business or lot wherein ~~he~~ the person attempts to or does engage in the business of buying, selling, exchanging, dealing or trading in new or used motor vehicles; or who does buy, sell, exchange, deal or trade in new or used motor vehicles as a business on the first day of the week, commonly known and designated as Sunday, is a disorderly person. Such a disorderly person upon conviction for the first offense ~~shall~~ must be punished by a fine of not more than \$100 or by imprisonment for not more than 10 days, or by both; and for the 2nd offense ~~shall~~ must be punished by a fine of not more than \$500 or by imprisonment for not more than 30 days, or by both; and for the 3rd or each subsequent offense ~~shall~~ must be punished by a fine of not more than \$750 or by imprisonment for not more than 6 months, or by both. If the person is the holder of dealer or transporter registration plates under Title ~~29~~ 29-A, chapter ~~5~~ 2, subchapter ~~III-A~~ III, such person ~~shall be~~ is subject to the suspension or revocation of ~~said~~ those plates, as provided for in Title ~~29~~ 29-A, section ~~350-A~~ 903, for the violation of this section.

Sec. 2. 17 MRSA §3203-A is enacted to read:

§3203-A. Motor homes

A person who is licensed in accordance with Title 29-A, section 951 and whose primary business is the buying and selling of new motor homes is exempt from section 3203 as it relates to that person's primary business. A "motor home" means a motor vehicle that is primarily designed as temporary living quarters and:

1. Part of vehicle. Is built onto or is an integral part of the motor vehicle chassis; and

2. Contains living systems. Contains independent living systems that are part of the manufacturing process that include cooking facilities, plumbing with external evacuation or that is self-contained, electrical capabilities, a heating source powered separately from the engine and a water system that includes a sink and faucet.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective May 15, 1995.

CHAPTER 88**H.P. 291 - L.D. 395****An Act Concerning the Rights and Responsibilities of Innkeepers**

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

Sec. 1. 30-A MRSA §3821, sub-§3, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is further amended to read:

3. Availability for inspection. Both the register and the record ~~shall~~ must be kept for 2 years and be available at all reasonable times to the inspection of any lawful agent of the licensing authority or any full-time law enforcement officer as defined in Title 25, section 2805. The guest register may be "kept," within the meaning of this section, when reproduced on any photographic, microfilm or other process that reproduces the original record.

Sec. 2. 30-A MRSA §3822, sub-§1, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is further amended to read:

1. Registration required. All persons occupying a room or rooms in a hotel or lodging house must register or have themselves registered in the hotel or lodging house register. The innkeeper may require the registering guest to produce a valid driver's license, or other identification satisfactory to the innkeeper, setting forth the name and residence of the guest. If the guest is a minor, the innkeeper may require a parent of the guest to register and to accept in writing liability for the guest room costs, taxes, all charges incurred by the minor and any damages to the guest room or its furnishings caused by the minor while a guest at the hotel or lodging house.

Sec. 3. 30-A MRSA §3838 is enacted to read:

§3838. Refusal or denial of accommodations; ejection

An innkeeper may refuse or deny any accommodations, facilities or privileges of a hotel or lodging house to or may eject from the hotel or lodging house premises:

1. Person unwilling or unable to pay. Any person who is unwilling or unable to pay for accommodations and services of the hotel or lodging house. The innkeeper may require the prospective guest to demonstrate the ability to pay by cash, valid credit card or a validated check;

2. Minor. Any person who has not attained 18 years of age unless that person: