

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
December 7, 1994 to June 30, 1995

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FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
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TITLE 3, SECTION 163-A, SUBSECTION 4

J.S. McCarthy Company
Augusta, Maine
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or remedy the condition and the condition was not caused by the tenant or another person acting under the tenant's control. Upon finding that the dwelling unit is not fit for human habitation, the court shall permit the tenant either to terminate the rental agreement without prejudice or to reaffirm the rental agreement, with the court assessing against the tenant an amount equal to the reduced fair rental value of the property for the period during which rent is owed. The reduced amount of rent thus owed ~~shall~~ must be paid on a pro rata basis, unless the parties agree otherwise, and payments ~~shall~~ become due at the same intervals as rent for the current rental period. The landlord may not charge the tenant for the full rental value of the property until such time as it is fit for human habitation.

Sec. 2. 14 MRSA §6005, first ¶, as amended by PL 1979, c. 327, §1, is further amended to read:

When the defendant is defaulted or fails to show sufficient cause, judgment ~~shall~~ must be rendered against ~~him~~ the defendant by the District Court for possession of the premises and a writ of possession be issued to remove ~~him~~ the defendant, which may be served by a constable. A writ of possession may not issue in any case in which the ground for termination of the tenancy was rent arrearage and the defendant paid the amount necessary to reinstate the tenancy as provided by section 6002.

See title page for effective date.

CHAPTER 209

S.P. 359 - L.D. 985

An Act to Amend the Law Dealing with Agreements for Recovery of Personal Property

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

Sec. 1. 33 MRSA §1869, sub-§5 is enacted to read:

5. Unfair trade practice. A person who makes a claim for compensation in violation of this section commits an unfair trade practice in violation of Title 5, section 207.

See title page for effective date.

CHAPTER 210

H.P. 795 - L.D. 1112

An Act to Authorize a Multi-day Bass Tournament Permit

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

Sec. 1. 12 MRSA §7154, as amended by PL 1993, c. 419, §15, is further amended to read:

§7154. Bass tournament permit

1. Application. Any bass club seeking approval to conduct a ~~one-day~~ bass tournament pursuant to this section may make application to the commissioner in a manner and form to be designated by the commissioner. The application ~~shall~~ must include the club's tournament rules, any amendments or changes to the rules and a schedule of the dates, places and times of the proposed tournament.

2. Issuance; notification to municipality. The commissioner, following a determination that the club has complied with all rules ~~promulgated~~ adopted pursuant to this section, may issue a permit to the applicant club authorizing the club to conduct the tournament during open season for black bass in waters free of ice. At least 10 days prior to issuing the permit, the commissioner shall notify any affected municipality of the receipt of an application for a multi-day bass tournament.

3. Fee. The fee for a permit to conduct a one-day bass tournament is \$20 for 1993, \$22 for 1994, \$23 for 1995 and \$24 for 1996 and every year thereafter.

The fee for a permit to conduct a bass tournament lasting more than one day is \$24 per day.

4. Restrictions. The commissioner shall ~~promulgate~~ adopt all rules necessary to carry out the purposes of this section, including, but not limited to:

A. Requiring that precautions be taken so that, if possible, all fish caught may be retained alive and, following the close of the tournament, be released into the body from which they were taken; ~~and~~

B. Fixing the maximum total value of prizes ~~which~~ that may be awarded at each tournament; and

C. Limiting the length of a tournament to 3 days. A tournament lasting more than one day must be a regional or multistate tournament sanctioned by the applicant bass club.