

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-THIRD LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 6, 2006 to June 21, 2007**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 20, 2007**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2007**

equipment dealer or trailer dealer is exempt from this subsection if the sales promotion does not include motor vehicles and does not exceed 90 continuous days. The fee for a ~~30-day~~ 90-day attended sales promotion license permit is ~~\$75 per location~~ \$150. The ~~license for a location permit~~ may be renewed ~~2-times~~ in a calendar year.

**Sec. 2. 29-A MRSA §957, sub-§4,** as amended by PL 2001, c. 361, §27, is further amended to read:

**4. Unattended sales promotion.** The Secretary of State may issue to a dealer a license permit to operate an unattended sales promotion. A request for an unattended sales promotion must be submitted to the Secretary of State at least 48 hours before the proposed promotion ~~date~~ and contain the proposed promotion ~~date and location~~ dates and, if applicable, a copy of a contract between the dealer and the promotion sponsor. The promotion and any use of a location must comply with applicable building codes and zoning and land use ordinances. A new vehicle dealer who requests a license permit under this subsection for a promotion involving new vehicles may not locate the promotion outside that dealer's area of responsibility as defined by the dealer's franchise agreement. An equipment dealer or trailer dealer is exempt from this subsection if the sales promotion does not include motor vehicles and does not exceed 90 continuous days. The fee for an unattended sales promotion is:

- A. Fifty dollars if the promotion runs 7 days or less;
- B. One hundred dollars if the promotion runs between 8 and 60 days; or
- C. One hundred fifty dollars if the promotion runs more than 60 days.

**Sec. 3. 29-A MRSA §957, sub-§5,** as enacted by PL 1997, c. 437, §26, is amended to read:

**5. Penalty.** A person commits a Class E crime if that person conducts an activity authorized by a license or permit under this section without obtaining that license or permit.

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

Effective March 14, 2007

**CHAPTER 6**

**S.P. 48 - L.D. 140**

**An Act To List the Shortnose Sturgeon as a Marine Endangered Species**

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

**Sec. 1. 12 MRSA §6975, sub-§7,** as enacted by PL 2003, c. 573, §1, is amended to read:

**7. Atlantic ridley turtle.** Atlantic ridley turtle, *Lepidochelys kempii*, endangered; ~~and~~

**Sec. 2. 12 MRSA §6975, sub-§8,** as enacted by PL 2003, c. 573, §1, is amended to read:

**8. Loggerhead turtle.** Loggerhead turtle, *Caretta caretta*, threatened; ~~and~~

**Sec. 3. 12 MRSA §6975, sub-§9** is enacted to read:

**9. Shortnose sturgeon.** Shortnose sturgeon, *Acipenser brevirostrum*, endangered.

See title page for effective date.

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**CHAPTER 7**

**S.P. 69 - L.D. 231**

**An Act To Modify the Laws Regarding Garnishment of Wages**

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

**Sec. 1. 9-A MRSA §5-105, sub-§2,** as amended by PL 1995, c. 614, Pt. A, §5, is repealed and the following enacted in its place:

**2.** The maximum part of the aggregate disposable earnings of an individual for any workweek that is subjected to garnishment to enforce payment of a judgment arising from a consumer credit transaction may not exceed the lesser of:

A. Twenty-five percent of the individual's disposable earnings for that week; and

B. The amount by which the individual's disposable earnings for that week exceed 40 times the federal minimum hourly wage prescribed by Section 6(a)(I) of the Fair Labor Standards Act of 1938, 29 United States Code, Section 206(a)(I), or the state minimum wage prescribed by Title 26, section 664, whichever is higher, in effect at the time the earnings are payable.

In the case of earnings for a pay period other than a week, the administrator shall prescribe by rule a