

# 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**

payments and to require the bank to carry out any other agreements with the bondholders and to perform its duties under this section.

**Sec. P-2. Programmed GARVEE bonding level for 2008-2009 biennium.** Notwithstanding any other provision of law and pursuant to the Maine Revised Statutes, Title 23, chapter 19, subchapter 3-A, the Maine Municipal Bond Bank may issue from time to time up to \$50,000,000 of GARVEE bonds for projects programmed in the 2008-2009 biennium to be repaid solely from annual federal transportation appropriations for funding for qualified transportation projects.

### PART Q

**Sec. Q-1. Light fleet vehicle study.** The Department of Administrative and Financial Services, the Department of Public Safety and the Department of Transportation shall undertake a comprehensive analysis of light fleet vehicle acquisition and operation with the goals of comparing costs, consolidating functions and eliminating duplication and inefficiencies in programs. The analysis must include a review of the number of vehicles relative to staff, vehicle age and mileage at replacement, light fleet facilities including the opportunities for consolidation and the use of private vendors and the decision to lease, purchase or rent vehicles. A report must be submitted no later than March 15, 2008 to the Joint Standing Committee on Transportation regarding measures identified to achieve efficiencies and savings to the State.

### PART R

**Sec. R-1. 29-A MRSA §1406, sub-§8** is enacted to read:

**8. Equalization of 6-year license cycle.** Notwithstanding subsection 1, paragraph A, the Secretary of State may, solely for the purpose of equalizing the 6-year license renewal cycle, issue noncommercial licenses to persons under 65 years of age that expire either one or 2 years before or after the holder's 6th birthday following the date of issuance. Notwithstanding subsection 5, the fee for a license issued pursuant to this subsection is \$5 multiplied by the number of years for which the license is issued.

This subsection is repealed June 30, 2014.

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

Effective June 19, 2007, unless otherwise indicated.

## CHAPTER 330 H.P. 103 - L.D. 111

### An Act To Designate May 1st of Each Year as Cold War Victory Day

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

**Sec. 1. 1 MRSA §150-A** is enacted to read:

#### **§150-A. Cold War Victory Day**

In recognition of the long and costly struggle of the Cold War, from the end of World War II to the fall of the Union of Soviet Socialist Republics, the State designates the first day of May as Cold War Victory Day. The Governor shall annually issue a proclamation urging citizens, businesses and organizations to observe the day with appropriate activity to celebrate democracy's victory.

See title page for effective date.

## CHAPTER 331 S.P. 92 - L.D. 277

### An Act To Require Mapping of Conservation Easements and Public Lands

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

**Sec. 1. 5 MRSA §6206, sub-§1, ¶E,** as amended by PL 2005, c. 215, §1, is further amended to read:

E. On January 1st of every odd-numbered year, report to the joint standing committee of the Legislature having jurisdiction over matters pertaining to state parks and public lands on expenditures from the Land for Maine's Future Fund and the Public Access to Maine Waters Fund and revisions to the strategies and guidelines. This report must include a description of access to land and interest in land acquired during the report period. If an acquisition has been made that does not include guaranteed public vehicular access to the land acquired, the board must provide justification for that acquisition and a plan for continuing efforts to acquire guaranteed public access to the land. This report must include a summary of the board's experience during the reporting period with projects funded pursuant to section 6203 or 6203-A and in which the land or interest in land is acquired by a cooperating entity. This report must also include on a county-by-county basis a summary of the expenditures made by the board and acreage conserved through acquisition of fee or

less-than-fee interest by the board during the report period. Each report must include cumulative totals by county of acreage conserved through acquisition of fee or less-than-fee interest through action by the board.

The report must include maps based on available information and at a statewide level that show federal, state and other public lands and permanent interests in lands held for conservation purposes. The maps must also provide a representation of the amount of land affected by conservation easements under Title 33, chapter 7, subchapter 8-A. Other state agencies holding conservation lands and interests in lands held for conservation purposes shall assist in the preparation of the maps.

See title page for effective date.

**CHAPTER 332**

**H.P. 264 - L.D. 330**

**An Act To Protect the Integrity of Security Deposits**

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

**Sec. 1. 14 MRSA §6035, sub-§1**, as repealed and replaced by PL 1999, c. 213, §1, is amended to read:

**1. Landlord's termination of interests in dwelling unit.** Upon termination of a landlord's interest in the dwelling unit, whether by sale, assignment, death, appointment of a receiver or otherwise, the person in possession of a security deposit, including, but not limited to, the landlord, the landlord's agent or the landlord's executor, shall, upon the transfer of the interest in the dwelling unit:

A. Provide to the landlord's successor in interest an accounting of the amount of each security deposit paid by each tenant and held by the person in possession of the security deposits, transfer the funds or any remainder after lawful deduction under this chapter to the landlord's successor in interest and provide to the tenant by mail:

- (1) Notice of that transfer;
- (2) Notice of the transferee's name and address; and
- (3) A copy of the accounting of the amount of the security deposit transferred; or

B. Return the funds or any remainder after lawful deductions under this section to the tenant.

If the landlord's interest is terminated by sale, then the accounting and transfer of funds must occur no later

than at the real estate closing. A person in possession of a security deposit, including, but not limited to, the landlord, the landlord's agent or the landlord's executor, shall provide written proof of the accounting and transfer of funds to the landlord's successor in interest at the real estate closing.

See title page for effective date.

**CHAPTER 333**

**H.P. 308 - L.D. 392**

**An Act To Establish Penalties for Violation of the Severance Pay Law**

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

**Sec. 1. 26 MRSA §625-B, sub-§6-A**, as enacted by PL 1981, c. 337, is amended to read:

**6-A. Notice to employees and municipality.** ~~Any~~ A person proposing to terminate or to relocate a covered establishment outside the State shall notify employees; and the municipal officers of the municipality where the plant is located; in writing not less than 60 days prior to the termination or relocation unless this notice requirement is waived by the director. ~~Any~~ A person ~~violating that violates~~ committing a civil violation for which a forfeiture fine of not more than \$500 may be adjudged, provided except that no forfeiture a fine may not be adjudged if the relocation is necessitated by a physical calamity, or if the failure to give notice is due to unforeseen circumstances. A fine imposed pursuant to this subsection may not be collected by the Department of Labor to the extent such collection prevents the violator from making all payments required under subsection 2.

**Sec. 2. 26 MRSA §625-B, sub-§9** is enacted to read:

**9. Penalties.** A person that violates subsection 2 commits a civil violation for which a fine of not more than \$1,000 per violation may be adjudged. Each employee affected constitutes a separate violation. Any such fine may not be collected by the Department of Labor to the extent such collection prevents the violator from making all payments required under subsection 2.

See title page for effective date.