

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE**

**SECOND REGULAR SESSION**  
**January 6, 2010 to April 12, 2010**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 12, 2010**

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

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**Augusta, Maine**  
**2010**

**Sec. B-8. 14 MRSA §6322-A**, as enacted by PL 2009, c. 402, §19, is amended to read:

**§6322-A. Notice to tenants of foreclosure judgment**

The mortgagee shall, after entry of final judgment in favor of the mortgagee, provide a copy of the foreclosure judgment to any residential tenant of the premises. Upon request from a mortgagee, the mortgagor shall provide the name, address and other contact information for any residential tenant. A residential tenant who receives written notice under this section is not required to file any responsive pleadings and must receive written notice of all subsequent proceedings including all matters through and including sale of the property. The mortgagee shall provide written notice to the residential tenant if the mortgagee knows or should know by exercise of due diligence that the property is occupied as a residential rental unit. Notice may be provided to a residential tenant by first class mail and registered mail at the residential tenant's last known address only after the mortgagee has made 2 good faith efforts to provide written notice to the residential tenant in person. ~~After providing the notice required by this section, and upon expiration of the redemption period, the mortgagee may institute an action for forcible entry and detainer pursuant to section 6001.~~ A residential tenant may not be evicted unless a mortgagee institutes an action for forcible entry and detainer pursuant to section 6001 after providing the notice required by this section and after the expiration of the redemption period. This section may not be construed to prohibit an action for forcible entry and detainer in accordance with section 6001 for a reason that is not related to a judicial foreclosure action. The failure to provide the notice required by this section does not affect the validity of the foreclosure sale.

**Sec. B-9. Retroactivity.** This Part applies retroactively to June 15, 2009.

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

Effective February 24, 2010.

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**CHAPTER 477**

**H.P. 1062 - L.D. 1513**

**An Act To Authorize  
Municipal Officers To Resolve  
Road-naming Disputes**

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

**Sec. 1. 30-A MRSA §3110** is enacted to read:

**§3110. Road-naming disputes**

Unless otherwise provided by local ordinance or charter, when there is a dispute over the naming of a town way, private way or private road for E-9-1-1 purposes, the decision of the municipal officers is final.

See title page for effective date.

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**CHAPTER 478**

**H.P. 1122 - L.D. 1584**

**An Act To Require That  
Marine Resources Dealers  
Purchase Only from Licensed  
Harvesters**

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

**Sec. 1. 12 MRSA §6803-A**, as enacted by PL 2009, c. 283, §1, is amended by adding at the end a new paragraph to read:

A holder of a license issued under this section may buy only from a harvester who possesses a seaweed permit under section 6803. The harvester shall make the seaweed permit available for inspection upon the license holder's request.

**Sec. 2. 12 MRSA §6851, sub-§2**, as amended by PL 1999, c. 491, §6 and affected by §9, is further amended to read:

**2. License activities.** The holder of a wholesale seafood license may, in the wholesale or retail trade:

A. Within or beyond the state limits, buy, sell, process, ship or transport any marine species or their parts, except lobsters, sea urchins and shrimp;

B. Within or beyond the state limits, buy, sell, shuck, pack, ship or, within the state limits, transport fresh or frozen shellfish, except lobsters, to the extent these activities are expressly authorized by a shellfish certificate issued under section 6856; or

D. Buy, sell, process, ship or, within the state limits, transport crayfish.

A holder of a wholesale seafood license when buying directly from a harvester may buy only from a harvester who possesses the license or permit for that species as required under this Part. The harvester shall make the applicable marine resources license or permit available for inspection upon the wholesale seafood license holder's request.

**Sec. 3. 12 MRSA §6852, sub-§2**, as amended by PL 2005, c. 434, §11, is further amended to read:

2. License activity. The holder of a retail seafood license may, in the retail trade within the state limits, buy, sell, transport, ship or serve:

- A. Shellstock and shucked shellfish if they are bought from a wholesale seafood license holder certified under section 6856;
- C. Lobster parts or meat, if they are permitted under section 6857, or have been lawfully imported;
- D. Crayfish; or
- E. Lobsters.

A holder of a retail seafood license when buying directly from a harvester may buy only from a harvester who possesses the license or permit for that species as required under this Part. The harvester shall make the applicable marine resources license or permit available for inspection upon the retail seafood license holder's request.

Sec. 4. 12 MRSA §6853, as amended by PL 2009, c. 213, Pt. G, §39, is further amended by adding at the end a new paragraph to read:

A holder of a license required under this section when buying directly from a harvester may buy only from a harvester who possesses a marine worm digger's license under section 6751. The harvester shall make the marine worm digger's license available for inspection upon the license holder's request.

Sec. 5. 12 MRSA §6864, as amended by PL 2009, c. 213, Pt. G, §§44 and 45, is further amended by adding at the end a new paragraph to read:

A holder of an elver dealer license when buying directly from a harvester may buy only from a harvester who possesses an elver fishing license under section 6505-A. The harvester shall make the elver fishing license available for inspection upon the elver dealer license holder's request.

See title page for effective date.

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**CHAPTER 479**

**S.P. 589 - L.D. 1531**

**An Act To Update Laws  
Regulating the Maine  
Emergency Management  
Agency**

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

Sec. 1. 37-B MRSA §797, as amended by PL 2009, c. 252, §5, is further amended to read:

**§797. Maine chemical inventory report**

A person required to submit a facility emergency response plan, material safety data sheet or list of hazardous chemicals and extremely hazardous substances must submit a Maine chemical inventory report to the commission, the local emergency planning committee and the local fire department with jurisdiction over the facility. The inventory report and fee must be submitted by March 1st annually for the previous calendar year, ~~except that the inventory report and fee may be submitted with the registration fee in the year of reporting if the reporting facility can project its inventory levels for the current year.~~ Information on the inventory of extremely hazardous substances and hazardous chemicals for the previous calendar year is required in the report. This report must state, at a minimum:

1. **Chemical name.** The chemical name of each substance listed;
2. **Maximum weight.** The maximum number of pounds of each substance present at any time during the preceding year;
3. **Average amount.** The average daily amount of each substance present during the preceding year;
4. **Chemical storage.** A brief description of the manner of the chemical's storage;
5. **Chemical location.** The chemical's location at the facility;
6. **Information withholding.** An indication if the person is electing to withhold information from disclosure under section 800;
7. **Transportation.** A description of the manner in which the substance is shipped to the facility, including standard and alternate transportation routes taken through the State from point of origin or entry to the facility. Records held by the commission regarding standard and alternate transportation routes are confidential records for the purposes of Title 1, chapter 13, subchapter 1. The commission may provide those records to state, county or local emergency management agencies or public officials, as the commission determines necessary, but shall require those agencies or officials to hold those records as confidential; and
8. **Progress toward toxics use reduction goals.** For those persons required to submit a report under this section for extremely hazardous substances, a report on the progress made by the facility toward meeting the toxics use reduction goals established in Title 38, section 2303.

See title page for effective date.

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