

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 2010 to June 29, 2011

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 28, 2011

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

Augusta, Maine
2011

Sec. 17. Transition of membership of State Board of Corrections. Notwithstanding the Maine Revised Statutes, Title 34-A, section 1802, subsection 1, a member of the State Board of Corrections who is serving on the effective date of this Act continues to serve until the expiration of that member's term and until that member's replacement is appointed and confirmed.

See title page for effective date.

CHAPTER 375

H.P. 533 - L.D. 703

**An Act To Amend the Laws
Governing Licensure
Compliance Methods for
Camping Areas, Recreational
Camps, Youth Camps and
Eating Establishments**

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

Sec. 1. 22 MRSA §2494, last ¶, as amended by PL 2007, c. 539, Pt. F, §1, is further amended to read:

All such fees are for the license, ~~2~~ one licensure ~~inspections~~ inspection and one follow-up inspection. When additional inspections are required to determine an applicant's eligibility for licensure, the department is authorized through its rules to charge an additional fee not to exceed \$100 to cover the costs of each additional inspection or visit. Failure to pay such charges within 30 days of the billing date constitutes grounds for revocation of the license, unless an extension for a period not to exceed 60 days is granted in writing by the commissioner.

Sec. 2. 22 MRSA §2497, as amended by PL 1991, c. 528, Pt. J, §4 and affected by Pt. RRR and amended by c. 591, Pt. J, §4, is further amended to read:

§2497. Right of entry, inspection and determination of compliance

The department and any duly designated officer or employee of the department have the right, without an administrative inspection warrant, to enter upon and into the premises of any establishment licensed pursuant to this chapter at any reasonable time in order to determine the state of compliance with this chapter and any rules in force pursuant to this chapter. ~~The department shall make an inspection of the premises of any establishment licensed under this chapter at least once in each year.~~ Such right of entry and inspection extends to any premises ~~which~~ that the department has reason to believe is being operated or maintained without a license but no such entry and inspection of

any premises may be made without the permission of the owner or person in charge unless a search warrant is obtained authorizing entry and inspection. The department and any duly designated officer or employee of the department do not have the right to enter, for inspection under this chapter, upon and into the premises of any establishment that is licensed under chapter 551, subchapter ~~1~~ 1.

Determination of compliance with this chapter and any rules adopted pursuant to this chapter must be made at least once every 2 years by inspection or other method as determined by the department.

See title page for effective date.

CHAPTER 376

S.P. 442 - L.D. 1428

**An Act To Amend the Laws
Governing Self-service Storage
in the State**

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

Sec. 1. 10 MRSA §1372, sub-§1-A is enacted to read:

1-A. Abandoned leased space. "Abandoned lease space" means a leased space that the operator finds unlocked and empty or unlocked and containing personal property with a value less than \$750 or a leased space possession of and all rights to which and any personal property within which have been surrendered to the operator by the occupant.

Sec. 2. 10 MRSA §1372, sub-§1-B is enacted to read:

1-B. Electronic mail. "Electronic mail" means electronic mail sent or delivered by transmission over the Internet.

Sec. 3. 10 MRSA §1372, sub-§6, as enacted by PL 1989, c. 62, is amended to read:

6. Personal property. "Personal property" means movable property, not affixed to land. Personal property includes, but is not limited to, goods, wares, merchandise, motor vehicles, watercraft, all-terrain vehicles, off-road vehicles, recreational vehicles and household items and furnishings.

Sec. 4. 10 MRSA §1372, sub-§9 is enacted to read:

9. Verified mail. "Verified mail" means any method of mailing that is offered by the United States Postal Service and provides evidence of mailing.

Sec. 5. 10 MRSA §1374, sub-§1, as enacted by PL 1989, c. 62, is amended to read: