

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTIETH LEGISLATURE

FIRST REGULAR SESSION
December 2, 2020 to March 30, 2021

FIRST SPECIAL SESSION
April 28, 2021 to July 19, 2021

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 29, 2021

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
OCTOBER 18, 2021

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

Augusta, Maine
2021

Initiative: Provides allocation for an expected increase in revenue from increasing a municipal license fee from \$60 to \$100.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$40,000	\$40,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$40,000	\$40,000

See title page for effective date.

CHAPTER 126
S.P. 365 - L.D. 1104

An Act To Increase the Time for Which a Temporary Motor Vehicle Registration Plate Is Valid

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

Sec. 1. 29-A MRSA §462, sub-§2, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

2. Payment of fee for temporary registration plate. The fee for a temporary registration plate is \$1 per plate. A purchaser may operate the motor vehicle or trailer with a temporary registration plate for a period of ~~14~~ 30 consecutive days without payment of a regular fee. ~~If the purchaser is a nonresident member of the Armed Services, the purchaser may operate a motor vehicle or trailer for a period of 20 consecutive days without payment of a regular fee.~~ At the end of this initial period, a resident who is unable to comply with the requirements of chapter 7 or a nonresident who has applied for but has not yet received a registration certificate from a home state may request the Secretary of State to extend this period without charge for an additional 20 days.

See title page for effective date.

CHAPTER 127
H.P. 810 - L.D. 1132

An Act To Encourage the Renovation of Available Housing Stock

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

Sec. 1. 36 MRSA §946-B, sub-§1, as enacted by PL 2013, c. 521, Pt. D, §2, is amended to read:

1. Tax liens recorded after October 13, 2014. A Except as provided in section 946-C, a person may not

commence an action against the validity of a governmental taking of real estate for nonpayment of property taxes upon the expiration of a 5-year period immediately following the expiration of the period of redemption. This subsection applies to a tax lien recorded after October 13, 2014.

Sec. 2. 36 MRSA §946-C is enacted to read:

§946-C. Abandoned tax-acquired property

1. Evidence of abandonment. For the purposes of this section, evidence of abandonment showing that the property taken for nonpayment of property taxes is vacant and the occupant has no intent to return may include, but is not limited to, the following:

- A. Doors and windows on the property are continuously boarded up, broken or left unlocked;
- B. Rubbish, trash or debris has observably accumulated on the property;
- C. Furnishings and personal property are absent from the property;
- D. The property is deteriorating so as to constitute a threat to public health or safety;
- E. Reports of trespassers, vandalism or other illegal acts being committed on the property have been made to local law enforcement authorities; and
- F. Other reasonable indicia of abandonment.

2. Determination of abandonment. Upon acquiring title to residential real estate for nonpayment of property taxes under section 943, a municipality may, through its code enforcement officer or other public official, make a determination that the property is abandoned. The code enforcement officer or other public official making the determination that the property is abandoned shall certify that determination and file a copy of that certification with the registry of deeds in the county in which the property is located. The certification must contain the following information:

- A. The name and title of the code enforcement officer or other public official making the determination of abandonment;
- B. A description of the real estate and information regarding the filing of a tax lien and foreclosure with regard to the property;
- C. The name of the owner of the property at the time of foreclosure;
- D. A description of the factors considered by the code enforcement officer or other public official that contributed to the determination of abandonment; and
- E. The signature of the code enforcement officer or other public official making the determination of abandonment.

The code enforcement officer or other public official making the determination that the property is abandoned shall certify that the property is abandoned and file a copy of that certification with the registry of deeds in the county in which the property is located.

For the purposes of this subsection, "residential real estate" means property that includes a residential structure that has one to 4 residential units.

3. Tax liens for abandoned property recorded after December 1, 2021. Notwithstanding section 946-B, a person may not commence an action against the validity of a governmental taking of real estate for nonpayment of property taxes upon the expiration of a 6-month period immediately following a certification under subsection 2 that the property is abandoned. This subsection applies to a tax lien recorded after December 1, 2021.

4. Program to monitor municipal abandoned property. A municipality that certifies abandoned property under this section shall submit the address and parcel data for the abandoned property to the Maine State Housing Authority for use in determining opportunities for redevelopment, programs supporting first-time home buyers and similar programs and data analysis.

See title page for effective date.

CHAPTER 128

H.P. 819 - L.D. 1141

An Act To Amend the Service Contracts Act To Include the Replacement of Motor Vehicle Keys and Key Fobs and Damage to a Motor Vehicle That Results in Lease-end or Other Charges for Excessive Wear and Use

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

Sec. 1. 24-A MRSA §7102, sub-§11, ¶D, as enacted by PL 2011, c. 345, §4 and affected by §7, is amended to read:

D. The repair of small motor vehicle windshield chips or cracks but not the replacement of the entire windshield; or

Sec. 2. 24-A MRSA §7102, sub-§11, ¶E, as enacted by PL 2011, c. 345, §4 and affected by §7, is amended to read:

E. The repair of damage to the interior components of a motor vehicle caused by wear and tear but that expressly excludes the replacement of any part or component of a motor vehicle's interior;

Sec. 3. 24-A MRSA §7102, sub-§11, ¶F is enacted to read:

F. The replacement of a motor vehicle key or key fob in the event the key or key fob becomes inoperable or is lost or stolen; or

Sec. 4. 24-A MRSA §7102, sub-§11, ¶G is enacted to read:

G. In conjunction with a motor vehicle lease, the repair, replacement or maintenance of the motor vehicle, or indemnification for repair, replacement or maintenance, due to excess wear and use; due to damage for items such as tires, paint cracks or chips, interior stains, rips or scratches, exterior dents or scratches, windshield cracks or chips or missing interior or exterior parts; or due to excess mileage that results in a lease-end charge or any other charge for damage that is determined to be excess wear and use by a lessor under a motor vehicle lease, as long as any such payment does not exceed the purchase price of the motor vehicle.

See title page for effective date.

CHAPTER 129

H.P. 860 - L.D. 1182

An Act To Allow Commercial Lobster License Holders To Possess a Marine Harvesting Demonstration License

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

Sec. 1. 12 MRSA §6810-A, sub-§1-A, as enacted by PL 2017, c. 146, §2, is amended to read:

1-A. Eligibility. A marine harvesting demonstration license may be issued only to an individual, except that a person who holds a ~~Class I, Class II or Class III lobster and crab fishing license or a noncommercial lobster and crab fishing license~~ may not be issued a marine harvesting demonstration license.

Sec. 2. 12 MRSA §6810-A, sub-§3, as enacted by PL 2003, c. 169, §1 and affected by §3, is amended to read:

3. License limitations. An individual who holds a marine harvesting demonstration license may not sell, retain, ship or transport any portion of the catch and shall release all organisms alive into the area from which the organisms were harvested. A vessel identified under subsection 6 may not be used for the commercial harvest of marine organisms unless the operator of the vessel holds a Class I, Class II or Class III lobster and crab fishing license or as otherwise provided by the department. The trap limits of the vessel operated for the harvest of marine organisms under a Class I, Class