

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE

FIRST REGULAR SESSION

January 5, 1977 to July 25, 1977

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
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PORTLAND LITHOGRAPH COMPANY
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1977

PUBLIC LAWS
OF THE
STATE OF MAINE

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C. If this next lowest responsible bidder does not agree to accept the contract, the State Purchasing Agent or other contracting officer may award the contract to another responsible low bidder who meets the criteria specified in paragraph A and paragraph B. Whenever the State Purchasing Agent or other contracting officer offers a contract to such other low bidder or bidders, he shall do so in the order of the proximity of each bid to the bid of the lowest responsible bidder.

D. Nothing in this subsection shall be construed to effect or limit any power or duty relating to the awarding of contracts which the United States Government reserves to itself.

This subsection shall cease to be in effect on June 30, 1980.

Effective October 24, 1977

CHAPTER 400

AN ACT Concerning the Certificate of Apparent Election and the Fee for Recounts in Election Contests.

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

Sec. 1. 21 MRSA § 1095, 1st ¶, as last amended by PL 1975, c. 771, § 198, is further amended to read:

Within a reasonable time after an election, the Governor shall issue an election certificate in accordance with Title 5, section 84 or a notice of apparent election to each person elected to office according to the tabulation required by section 1092 ~~or on appeal according to the determination of the Governor or on the determination of the Commission on Governmental Ethics and Election Practices, as provided under chapter 36.~~ For cases involving elections finally determined by the Governor, issuance of a certificate shall be made in accordance with section 1423, subsection 3, paragraphs B and C. For cases involving elections not finally determined by the Governor, the Governor shall withhold issuance of a certificate while such election is contested before the Commission on Governmental Ethics and Election Practices as provided under chapter 36. If, before the convening of the finally determinative body in an election not determined by the Governor, the commission finds that a candidate has been apparently elected, the commission shall notify the Governor forthwith of such apparent election. The Governor shall issue a notice of apparent election to the person apparently elected according to the findings of the commission.

Sec. 2. 21 MRSA § 1152, sub-§ 2, ¶¶ A - D, as amended by PL 1969, c. 204, § 2, are further amended to read:

A. If the combined vote is 1,000, or less, and the percentage of difference between the vote for the 2 candidates is more than 10%, ~~\$100~~ \$150;

- B. If the combined vote is 1,001 to 5,000, and the percentage of difference between the vote for the 2 candidates is more than 5%, ~~\$150~~ \$200;
- C. If the combined vote is 5,001 to 10,000, and the percentage of difference between the vote for the 2 candidates is more than 4%, ~~\$200~~ \$250;
- D. If the combined vote is 10,001 to 50,000, and the percentage of difference between the vote for the 2 candidates is more than 3%, ~~\$250~~ \$300;

Effective October 24, 1977

CHAPTER 401

AN ACT Defining the Rights and Responsibilities of Landlords and Tenants in Residential Property.

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

Sec. 1. 4 MRSA § 152, first sentence, as repealed and replaced by PL 1975, c. 770, § 11, is amended to read:

The District Court shall possess the civil jurisdiction exercised by all trial justices and municipal courts in the State on September 16, 1961, and in addition, original jurisdiction, concurrent with that of the Superior Court of all civil actions in which neither damages in excess of \$20,000 nor, except as herein provided, equitable relief is demanded, of proceedings under Title 14, sections 6651 to 6658 and of actions for divorce or annulment of marriage and of proceedings under Title 19 and original jurisdiction, concurrent with that of the probate court, of actions for separation, original jurisdiction, concurrent with that of the Superior Court, of actions to quiet title to real estate under Title 14, sections 6651 through 6658, and in such actions the District Court may grant equitable relief; and original jurisdiction, concurrent with that of the Superior Court, for breach of implied warranty and covenant of habitability under Title 14, section 6021, and in such actions the District Court may grant equitable relief; and original jurisdiction, concurrent with that of the Superior Court, of actions to quiet title to real estate under Title 36, section 946, and in such actions the District Court may grant equitable relief and of actions to foreclose mortgages under Title 14, chapter 713, subchapter VI.

Sec. 2. 14 MRSA § 6001, 3rd ¶, first sentence, as enacted by PL 1971, c. 322, § 1, is amended to read:

Where the tenant proves that within the past 6 months he has filed a complaint pursuant to section 6021 or that he has complained as an individual, or that a complaint has been made in his behalf, in good faith of conditions in or affecting his dwelling unit which may constitute a violation of a building, housing, sanitary or other code, ordinance, regulation or statute, presently or hereafter adopted, to a body charged with enforcement of such code,