

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

**STATE OF MAINE  
114TH LEGISLATURE  
FIRST REGULAR SESSION**



**BILL SUMMARY  
JOINT STANDING COMMITTEE  
ON  
LEGAL AFFAIRS**

**JULY 1989**

**MEMBERS**

Sen. Zachary E. Matthews \*  
Sen. John E. Baldacci  
Sen. Robert G. Dillenback

Rep. Charles R. Priest \*  
Rep. Norman R. Paul  
Rep. John Jalbert  
Rep. Jo Anne D. Lapointe  
Rep. Mark W. Lawrence  
Rep. Charles C. Plourde  
Rep. Eleanor M. Murphy  
Rep. Jeanne F. Begley  
Rep. Albert G. Stevens  
Rep. Helen M. Tupper

\* Denotes Chair

Staff: Todd R. Burrowes, Legislative Analyst

Office of Policy & Legal Analysis  
Room 101, State House Sta. 13  
Augusta, ME 04333  
(207) 289-1670

MARTHA E. FREEMAN, DIRECTOR  
WILLIAM T. GLIDDEN, PRINCIPAL ANALYST  
ULIE S. JONES, PRINCIPAL ANALYST  
DAVID C. ELLIOTT, PRINCIPAL ANALYST  
GILBERT W. BREWER  
ROD R. BURROWES  
MIRO FLATEBO  
JEBORAH C. FRIEDMAN  
JOHN B. KNOX



STATE OF MAINE  
**OFFICE OF POLICY AND LEGAL ANALYSIS**  
ROOM 101/107/135  
STATE HOUSE STATION 13  
AUGUSTA, MAINE 04333  
TEL: (207) 289-1670

ANNIKA E. LANE  
EDWARD POTTER  
MARGARET J. REINSCH  
LARS H. RYDELL  
JOHN R. SELSER  
HAVEN WHITESIDE  
CAROLYN J. CHICK, RES. ASST  
ROBERT W. DUNN, RES. ASST  
HARTLEY PALLESCHI, JR., RES. ASST

ONE HUNDRED AND FOURTEENTH LEGISLATURE  
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE  
BILL SUMMARIES  
AUGUST 1989

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The summaries are arranged by LD number for each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action is listed to the right of the title. If final House and Senate action differ, both are listed. Committee Reports and Floor Action are abbreviated as follows:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-A	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

Each individual summary was prepared by the analyst assigned, as noted for each committee. But, this document was produced by the efforts of all the office staff, including Research Assistant Barbara McGinn, and secretaries: Charlene Brann, and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

Please give us your suggestions and comments on these summaries and tell us of any inaccuracies.

cure a violation of the "paid for and authorized by" rule. The amendment removes a provision of the bill requiring the candidate to report the aggregate amount given by a given contributor. The amendment in effect reinstates the current dual filing system but allows a candidate who does not intend to handle campaign finances to obtain a reporting exemption from the commission. The amendment also revises the bill's provisions regarding disposition of surplus campaign funds, reporting schedule for candidates for an office other than Governor, and penalties for violations of the reporting laws.

The amendment revises the reporting schedule for a PAC and requires a PAC to disclose the name of a candidate involved with the PAC's decision making only if the PAC was organized to advance that candidate's election.

The amendment also requires the commission to provide the Legal Affairs Committee with the forms developed to carry out the amendment's provisions.

Finally, the amendment delays the effective date of its provisions until October 31, 1989.

**LD 1697**      **An Act to Protect Tenant's Rights by Authorizing  
Municipalities to Escrow Certain Funds under the General  
Assistance Laws**

**PUBLIC 484**

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
ADAMS	OTP-AM	H-514
PLOURDE		S-341    MATTHEWS
BELL		
HANDY		

SUMMARY

This bill places restrictions on payment of general assistance funds as rent to a landlord whose building has been cited for repeated violations of municipal health and safety code standards. The bill permits a municipality to notify such a landlord that the rent will be escrowed unless the violations are corrected. The landlord is entitled to a hearing. The bill forbids eviction of a tenant for nonpayment of rent if the rent has been escrowed or in retaliation for initiating municipal action to escrow the rent.

Committee Amendment "A" provides that rent may not be escrowed if the violations were wholly caused by the tenant and that rent for only those buildings in violation may be escrowed. The amendment allows payment out of escrow for expenses and repairs necessary to protect the safety and health of tenants. The amendment specifies that a tenant current in rent except for an escrowed portion may not be considered in arrears. The amendment includes a sunset provision.

House Amendment "A" clarifies that code enforcement officers and other municipal officers responsible for enforcement of health, housing, trash, sanitation and safety regulations may not act as a hearing officer in a hearing regarding escrow of general assistance rent.

Senate Amendment "A" clarifies that a code enforcement officer or similar official may act as a hearing officer if that person is an elected municipal officer.