

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
125<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON VETERANS  
AND LEGAL AFFAIRS**

July 2011

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LEGISLATIVE DIGEST OF BILL SUMMARIES AND  
ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 125<sup>th</sup> Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

*CARRIED OVER* ..... carried over to a subsequent session of the Legislature  
*CON RES XXX*..... chapter # of constitutional resolution passed by both houses  
*CONF CMTE UNABLE TO AGREE*..... Committee of Conference unable to agree; legislation died  
*DIED BETWEEN HOUSES*..... House & Senate disagreed; legislation died  
*DIED IN CONCURRENCE*..... defeated in each house, but on different motions; legislation died  
*DIED ON ADJOURNMENT*..... action incomplete when session ended; legislation died  
*EMERGENCY*..... enacted law takes effect sooner than 90 days after session adjournment  
*FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE* ..... emergency failed to receive required 2/3 vote  
*FAILED, ENACTMENT or FINAL PASSAGE*..... failed to receive final majority vote  
*FAILED, MANDATE ENACTMENT* ..... legislation proposing local mandate failed required 2/3 vote  
*HELD BY GOVERNOR*..... Governor has not signed; final disposition to be determined at subsequent session  
*LEAVE TO WITHDRAW*..... sponsor's request to withdraw legislation granted  
*NOT PROPERLY BEFORE THE BODY* ..... ruled out of order by the presiding officer; legislation died  
*INDEF PP*..... indefinitely postponed; legislation died  
*ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X*... ought-not-to-pass report accepted; legislation died  
*P&S XXX*..... chapter # of enacted private & special law  
*PUBLIC XXX*..... chapter # of enacted public Law  
*RESOLVE XXX*..... chapter # of finally passed resolve  
*VETO SUSTAINED*..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 125<sup>th</sup> Legislature is September 28, 2011. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

*Joint Standing Committee on Veterans and Legal Affairs*

**LD 1054 An Act To Revise the Maine Clean Election Act Regarding Legislative Leadership Positions**

**ACCEPTED  
REPORT A  
(ONTP)**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VALENTINO	ONTP A OTP-AM B OTP-AM C	

This bill prohibits a participating candidate under the Maine Clean Election Act from soliciting contributions from or accepting contributions for the establishment of a political action committee to influence or support the election of that participating candidate to a legislative leadership position.

**LD 1067 An Act To Improve Awareness of Smoking Policies in Maine Rental Housing**

**PUBLIC 199**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANBORN BLISS	OTP-AM	H-276

This bill establishes the duties of a landlord in disclosing the policy pertaining to smoking on the premises to all tenants or potential tenants as well as purchasers of condominiums. Disclosures must be in writing and signed by both parties.

**Committee Amendment "A" (H-276)**

This amendment changes the title and replaces the bill. The amendment requires that landlords disclose the policy pertaining to smoking on the premises to all tenants or potential tenants. The amendment requires the landlord to provide notice as part of a lease agreement or through a separate written notice to those tenants or potential tenants entering into a tenancy at will agreement. The amendment removes the requirement in the bill that the landlord provide notice using a form developed by the Department of Health and Human Services, Maine Center for Disease Control and Prevention through rules. The amendment removes the penalty provision in the bill and clarifies that the failure by a landlord to provide disclosure of the smoking policy as required does not create grounds for a private cause of action by a tenant against a landlord. The amendment clarifies that a tenant may not use a violation of a smoking policy by another tenant as the basis for a private cause of action against a landlord. The amendment also removes the section of the bill requiring disclosure of smoking policies to purchasers of condominiums.

**Enacted Law Summary**

Public Law 2011, chapter 199 requires that landlords disclose the policy pertaining to smoking on the premises to all tenants or potential tenants either as part of a written lease agreement or through a separate written notice to those tenants or potential tenants entering into a tenancy at will agreement. The law clarifies that the failure by a landlord to provide disclosure of the smoking policy as required does not create grounds for a private cause of action by a tenant against a landlord and also clarifies that a tenant may not use a violation of a smoking policy by another tenant as the basis for a private cause of action against a landlord.