

MAINE STATE LEGISLATURE

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L.D. 1697
(Filing No. S-341)

STATE OF MAINE
SENATE
114TH LEGISLATURE
FIRST REGULAR SESSION

SENATE AMENDMENT "A " to COMMITTEE AMENDMENT "A" to H.P. 1225, L.D. 1697, Bill, "An Act to Protect Tenant's Rights by Authorizing Municipalities to Escrow Certain Funds under the General Assistance Laws"

Amend the amendment in the 7th paragraph after the title by striking out all of subsection 3 and inserting in its place the following:

'3. Hearing. A landlord to whom the notice provided for by subsection 2 has been issued may request a hearing before the municipal officers within 10 days of the receipt of the notice. The municipal officers, or their designated representatives, acting as hearing officers, shall hold a hearing within 10 days of the request. A code enforcement officer or other municipal official responsible for enforcing health, housing, trash, sanitation and safety regulations may not act as a hearing officer, unless that person is an elected municipal officer, as defined in Title 30-A, section 2001, subsection 10. A landlord's request for a hearing stays establishment of the escrow provided for by subsection 2. The only issues to be determined at the hearing are whether:

A. The landlord has been cited for repeated violations of municipal health, safety, housing, trash and sanitation regulations;

B. There was good cause to issue each citation; and

C. The violations were wholly caused by a tenant.

The hearing officers shall issue a written finding within 2 days of the closing of the hearing. If the hearing officers find that the landlord was not cited for repeated violations, that there was not good cause to issue the citations or that the violations were wholly caused by a tenant, the general assistance payments for rent shall not be placed in escrow.'

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1225,
L.D. 1697


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Further amend the amendment by inserting before the 8th paragraph after the title the following:

'Further amend the bill in section 5 in that part designated "~~§4325.~~" in subsection 4 in the first 2 lines by striking out the following: "municipal officers or their designees" and inserting in its place the following: 'hearing officers' '

STATEMENT OF FACT

This amendment clarifies that code enforcement officials and other municipal officials responsible for enforcement of health, housing, trash, sanitation and safety regulations may not act as hearing officers in a hearing regarding escrow of general assistance funds, unless those officials are elected municipal officers, such as selectmen or city councillors.

(Senator MATTHEWS)
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(6/19/89) (Filing No. S-341)