

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWELFTH LEGISLATURE

SECOND REGULAR SESSION
January 8, 1986 to April 16, 1986

SECOND SPECIAL SESSION
May 28, 1986 to May 30, 1986

AND AT THE

THIRD SPECIAL SESSION
October 17, 1986

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

J.S. McCarthy Co., Inc.
Augusta, Maine

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION
of the
ONE HUNDRED AND TWELFTH LEGISLATURE
1985

Diamond International Corporation, International Paper Company and Lincoln Pulp and Paper Company located in Argyle.

Sec. 2. Effective date. This Act shall not be effective unless, within 60 days of the adjournment of the Legislature, the Secretary of State receives written certification by the Joint Tribal Council of the Passamaquoddy Tribe that the tribe has agreed to the provisions of this Act pursuant to the United States Code, Title 25, Section 1725(e)(1), copies of which shall be submitted by the Secretary of State to the Secretary of the Senate and the Clerk of the House of Representatives; provided that in no event may this Act become effective until 90 days after adjournment of the Legislature.

Effective July 16, 1986, as indicated.

CHAPTER 638

H.P. 1500 - L.D. 2113

AN ACT Regarding Family Housing.

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

Sec. 1. 5 MRSA §4582, 5th ¶, as amended by PL 1983, c. 437, §2, is further amended to read:

For any person furnishing rental premises or public accommodations to refuse to rent or impose different terms of tenancy to any individual who is a recipient of federal, state or local public assistance, including medical assistance and housing subsidies ~~solely~~ primarily because of such individual's status as such recipient; or

Sec. 2. 5 MRSA §4592, last ¶, as repealed and replaced by PL 1975, c. 770, §39, is amended to read:

For any person to directly or indirectly publish, circulate, issue, display, post or mail any written, printed, painted or broadcast communication, notice or advertisement, to the effect that any of the accommodations, advantages, facilities and privileges of any place of public accommodation shall be refused, withheld from or denied to any person on account of race or color, sex, physical or mental handicap, religion, ancestry or national origin, or that

the patronage or custom thereof of any person belonging to or purporting to be of any particular race or color, sex, physical or mental handicap, religion, ancestry or national origin is unwelcome, objectionable or not acceptable, desired or solicited, or that the clientele thereof is restricted to members of particular races or colors, sexes, physical or mental handicap, religions, ancestries or national origin. The production of any such written, printed, painted or broadcast communication, notice or advertisement, purporting to relate to any such place, shall be presumptive evidence in any action that the same was authorized by its owner, manager or proprietor; or

Sec. 3. 5 MRSA §4592, as repealed and replaced by PL 1975, c. 770, §39, is amended by adding at the end a new paragraph to read:

For any person, who is the owner, lessee, proprietor, manager, superintendent, agent or employee of any public accommodation for lodging, to directly or indirectly refuse or withhold from or deny to any person that lodging on the grounds that the person has a child or children who will occupy the unit, unless the size of the family would exceed the number permitted by local ordinances or reasonable standards relating to health, safety or sanitation.

Sec. 4. 14 MRSA §6001, sub-§2, as enacted by PL 1981, c. 428, §1, is amended to read:

2. Persons who may not maintain process. The process of forcible entry and detainer shall may not be maintained against a tenant by a 3rd party lessee, grantee, assignee or donee of the tenant's premises, if the primary purpose of any conveyance to such lessee, assignee, grantee or donee is to accomplish eviction of the tenant unless a tenant at will has received notice of termination in accordance with section 6002 by either the grantor or the grantee of the conveyance.

Sec. 5. 14 MRSA §6024, as enacted by PL 1981, c. 176, is amended to read:

§6024. Electric metering in common areas

No landlord may lease or offer to lease a dwelling unit in a multi-unit residential building where the expense of furnishing electricity to the common areas or other area not within the unit is the sole responsibility of the tenant in that unit, unless both parties to the lease have agreed in writing that

the tenant will pay for such costs in return for a stated reduction in rent or other specified fair consideration that approximates the actual cost of electricity to the common areas. "Common areas" include, but are not limited to, hallways, stairwells, basements, attics, storage areas ~~or~~, fuel furnaces or water heaters used in common with other tenants. Except as provided in this section, a written or oral waiver of this requirement is against public policy and is void. Any person in violation of this section is liable to the lessee for actual damages or \$100, whichever is greater, and reasonable attorneys' fees and costs.

Effective July 16, 1986.

CHAPTER 639

S.P. 721 - L.D. 1844

AN ACT to Extend the Trust Land Designation of the Penobscot Nation.

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

Sec. 1. 30 MRSA §6205, sub-§2, ¶B, as amended by PL 1983, c. 676, §§1 and 2, is further amended to read:

B. The first 150,000 acres of land acquired by the secretary for the benefit of the Penobscot Nation from the following areas or lands to the extent that those lands are acquired by the secretary prior to ~~January 17, 1986~~ April 1, 1988, are not held in common with any other person or entity and are certified by the secretary by ~~January 17, 1986~~ April 1, 1988, as held for the Penobscot Nation:

The lands of Great Northern Nekoosa Corporation located in T.1, R.8, W.B.K.P. (Lowelltown), T.6, R.1, N.B.K.P. (Holeb), T.2, R.10, W.E.L.S. and T.2, R.9, W.E.L.S.; the land of Raymidga Company located in T.1, R.5, W.B.K.P. (Jim Pond), T.4, R.5, B.K.P.W.K.R. (King and Bartlett), T.5, R.6, B.K.P.W.K.R. and T.3, R.5, B.K.P.W.K.R.; the land of the heirs of David Pingree located in T.6, R.8, W.E.L.S.; any portion of Sugar Island in Moosehead Lake; the lands of Prentiss and Carlisle Company located in T.9, S.D.; any portion