

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1990 to July 10, 1991

Chapters 1 - 590

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
OCTOBER 9, 1991

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

J.S. McCarthy Company
Augusta, Maine
1991

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

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ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

Title 14, chapters 709, 710 and 710-A. This subsection does not apply when the law specifically allows the tenant to waive a statutory right during negotiations with the park owner or operator.

2. Unenforceable provisions. The following rental agreement or rule provisions are specifically declared to be unenforceable and in violation of Title 5, section 207:

A. Any provision that absolves the park owner or operator from liability for the negligence of the park owner or operator or the agent of the park owner or operator;

B. Any provision that requires the tenant to pay the legal fees of the park owner or operator in enforcing the rental agreement;

C. Any provision that requires the tenant to give a lien upon the tenant's property, including a tenant's mobile home, for the amount of any rent or other sums due the park owner or operator; and

D. Any provision that requires the tenant to acknowledge that the provisions of the rental agreement, including tenant rules, are fair and reasonable.

Sec. 2. 14 MRSA §6030 is enacted to read:

§6030. Unfair rental contracts

1. Illegal waiver of rights. It is an unfair and deceptive trade practice in violation of Title 5, section 207 for a landlord to require a tenant to enter into a rental agreement in which the tenant agrees to a lease or rule provision that has the effect of waiving a tenant right established in chapter 709, this chapter and chapter 710-A. This subsection does not apply when the law specifically allows the tenant to waive a statutory right during negotiations with the landlord.

2. Unenforceable provisions. The following rental agreement or rule provisions are specifically declared to be unenforceable and in violation of Title 5, section 207:

A. Any provision that absolves the landlord from liability for the negligence of the landlord or the landlord's agent;

B. Any provision that requires the tenant to pay the landlord's legal fees in enforcing the rental agreement;

C. Any provision that requires the tenant to give a lien upon the tenant's property for the amount of any rent or other sums due the landlord; and

D. Any provision that requires the tenant to acknowledge that the provisions of the rental agreement, including tenant rules, are fair and reasonable.

Sec. 3. Effective date; application. This Act takes effect November 1, 1991 and applies to rental agreements entered into or renewed on or after November 1, 1991.

Effective November 1, 1991.

CHAPTER 362

H.P. 970 - L.D. 1411

An Act Concerning the Number of Signatures Required for County Office Elections

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

Sec. 1. 21-A MRSA §335, sub-§5, ¶1D and E, as enacted by PL 1985, c. 161, §6, are amended to read:

D. For a candidate for county office other than county commissioner, at least 150 and not more than 200 voters;

E. For a candidate for county commissioner ~~in any county with a population of 50,000 or less~~, at least 50 and not more than 75 voters;

Sec. 2. 21-A MRSA §354, sub-§5, ¶E, as enacted by PL 1985, c. 161, §6, is amended to read:

E. For a candidate for county office other than county commissioner or county charter commission member, at least 300 and not more than 400 voters;

Sec. 3. 21-A MRSA §354, sub-§5, ¶E-1 is enacted to read:

E-1. For a candidate for county commissioner, at least 100 and not more than 150 voters;

See title page for effective date.

CHAPTER 363

S.P. 460 - L.D. 1236

An Act Concerning Continuances Requested by Petitioners in Hearings for Operating under the Influence

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

Sec. 1. 29 MRSA §1311-A, sub-§5, ¶A, as repealed and replaced by PL 1983, c. 850, §1, is amended to read: