

# MAINE STATE LEGISLATURE

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



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

**JULY 1989**

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\* Denotes Chair

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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.

SPONSOR(S)

ANTHONY  
REED  
CAHILL P

COMMITTEE REPORT

OTP-AM

AMENDMENTS ADOPTED

H-162  
H-224 PRIEST

SUMMARY

This bill makes several changes to and clarifications of the laws regarding marriage. The bill requires that a marriage application contain a certified statement that each party is free to marry and that before the marriage is solemnized both parties sign each marriage license issued. The amendment also clarifies the procedures for issuance of marriage licenses to minors under the age of 18 and those under the age of 16. The bill amends current law to require only the town which issued the marriage license to the bride to transmit a copy of the license to the Department of Human Services Office of Vital Statistics. The bill also specifies that a lawyer who is a member of the Maine bar may solemnize marriages and amends current law to allow a notary public to perform a marriage for a relative.

Committee Amendment "A" deletes the part of the bill regarding performance of marriage ceremonies by a notary public (See LD 353). The amendment also clarifies that municipal clerks shall send the State's copy of the marriage certificate directly to the State Registrar of Vital Statistics rather than to the bride.

House Amendment "A" clarifies that notice and opportunity for a hearing must be given before a Judge of Probate may refuse to issue a marriage license to a minor.

**LD 933 An Act to Require the Attorney General to Develop a Model Lease for Residential Tenancies**

**P & S 43**

SPONSOR(S)

BRANNIGAN  
GURNEY  
PRIEST

COMMITTEE REPORT

OTP-AM

AMENDMENTS ADOPTED

S-216

SUMMARY

This bill requires landlords who enter into leases for one year or longer to use a written lease containing certain basic provisions dictated by statute. The provisions required reflect rights and duties of landlords and tenants under existing State law. The bill allows landlords to supplement the basic lease with additional provisions not adverse to tenants rights under the law. The bill allows parties to exempt themselves from the written lease requirement. The bill has an effective date of January 1, 1991.

Committee Amendment "A" requires the Attorney General, no later than February 1, 1990, to develop a model lease for use by parties to residential leases. This lease is to be advisory only and distributed on request by the Attorney General.