

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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Staff: Todd R. Burrowes, Legislative Analyst

Office of Policy & Legal Analysis
Room 101, State House Sta. 13
Augusta, ME 04333
(207) 289-1670

MARTHA E. FREEMAN, DIRECTOR
WILLIAM T. GLIDDEN, PRINCIPAL ANALYST
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STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107/135
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL: (207) 289-1670

ANNIKA E. LANE
EDWARD POTTER
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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)
PARADIS E
WEBSTER C
SHELTRA
CASHMAN

COMMITTEE REPORT
LV/WD

AMENDMENTS ADOPTED

SUMMARY

This bill reduces the number of days that landlords must hold property left on the premises by a tenant who has vacated the property.

SPONSOR(S)
PRAY

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
S-349

SUMMARY

LD 1649

This bill makes a number of changes to the law regarding campaign finance reporting by candidates, political committees, and political action committees (PACs). The main aspects of the bill are noted here.

The bill limits each candidate to one personal funding organization, referred to as the candidate's "campaign committee," which may consist of the candidate alone. The candidate must register the campaign committee with the Commission on Governmental Ethics. The bill simplifies recordkeeping by eliminating dual or multiple reporting of campaign finance information.

The bill authorizes the commission to make ruling providing limited exemptions to the "paid for and authorized by" requirement regarding paid for political advertising and repeals a provision giving candidates 10 days to cure a violation.

The bill conforms state law to federal law regarding voting procedures of delegates to the Electoral College.

The bill makes minor adjustments to the reporting schedule applicable to candidates and more substantial changes to the reporting schedule of PACs. The bill requires candidates to list the date of a contribution. The bill also amends the penalties for failure to report and other breaches of the campaign financing laws. In addition the bill prohibits contributions from one campaign committee to another. The bill also limits how candidates may dispose of surplus campaign funds.

The bill requires PACs to identify all candidates involved in decision making for the PAC, even those candidates who are not officers of the PAC.

Committee Amendment "A" replaces the bill. The amendment allows a candidate to establish two political committees and act on the candidate's own as under current law. The amendment allows transfer of funds from one political committee to another. The amendment requires registration of candidates and political committees only after a specified amount of money has been collected or after the candidate's nomination. The amendment reinstates a provision in current law which allows a candidate 10 days to

cure a violation of the "paid for and authorized by" rule. The amendment removes a provision of the bill requiring the candidate to report the aggregate amount given by a given contributor. The amendment in effect reinstates the current dual filing system but allows a candidate who does not intend to handle campaign finances to obtain a reporting exemption from the commission. The amendment also revises the bill's provisions regarding disposition of surplus campaign funds, reporting schedule for candidates for an office other than Governor, and penalties for violations of the reporting laws.

The amendment revises the reporting schedule for a PAC and requires a PAC to disclose the name of a candidate involved with the PAC's decision making only if the PAC was organized to advance that candidate's election.

The amendment also requires the commission to provide the Legal Affairs Committee with the forms developed to carry out the amendment's provisions.

Finally, the amendment delays the effective date of its provisions until October 31, 1989.

LD 1697 **An Act to Protect Tenant's Rights by Authorizing
Municipalities to Escrow Certain Funds under the General
Assistance Laws**

PUBLIC 484

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
ADAMS	OTP-AM	H-514
PLOURDE		S-341 MATTHEWS
BELL		
HANDY		

SUMMARY

This bill places restrictions on payment of general assistance funds as rent to a landlord whose building has been cited for repeated violations of municipal health and safety code standards. The bill permits a municipality to notify such a landlord that the rent will be escrowed unless the violations are corrected. The landlord is entitled to a hearing. The bill forbids eviction of a tenant for nonpayment of rent if the rent has been escrowed or in retaliation for initiating municipal action to escrow the rent.

Committee Amendment "A" provides that rent may not be escrowed if the violations were wholly caused by the tenant and that rent for only those buildings in violation may be escrowed. The amendment allows payment out of escrow for expenses and repairs necessary to protect the safety and health of tenants. The amendment specifies that a tenant current in rent except for an escrowed portion may not be considered in arrears. The amendment includes a sunset provision.

House Amendment "A" clarifies that code enforcement officers and other municipal officers responsible for enforcement of health, housing, trash, sanitation and safety regulations may not act as a hearing officer in a hearing regarding escrow of general assistance rent.

Senate Amendment "A" clarifies that a code enforcement officer or similar official may act as a hearing officer if that person is an elected municipal officer.