

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
116TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
LEGAL AFFAIRS

JULY 1993

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**ONE HUNDRED AND SIXTEENTH LEGISLATURE  
FIRST REGULAR SESSION**

**JOINT STANDING COMMITTEE  
BILL SUMMARIES**

**JULY 1993**

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 volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. All adopted amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

|                                   |   |
|-----------------------------------|---|
| <i>PUBLIC XXX</i>                 | <i>Chapter # of enacted Public Law</i>                              |
| <i>P&amp;S XXX</i>                | <i>Chapter # of enacted Private &amp; Special Law</i>               |
| <i>RESOLVE XXX</i>                | <i>Chapter # of enacted Resolve</i>                                 |
| <i>CON RES XXX</i>                | <i>Chapter # of Constitutional Resolution passed by both Houses</i> |
| <i>EMERGENCY</i>                  | <i>Enacted law takes effect sooner than 90 days</i>                 |
| <i>CARRIED OVER</i>               | <i>Bill carried over to Second Session</i>                          |
| <i>ONTP</i>                       | <i>Ought Not to Pass report accepted</i>                            |
| <i>ENACTMENT FAILED</i>           | <i>Bill failed to get majority vote</i>                             |
| <i>INDEF PP</i>                   | <i>Bill Indefinitely Postponed</i>                                  |
| <i>FAILED EMERGENCY ENACTMENT</i> | <i>Emergency bill failed to get 2/3 vote</i>                        |
| <i>FAILED MANDATE ENACTMENT</i>   | <i>Bill imposing local mandate failed to get 2/3 vote</i>           |
| <i>DIED BETWEEN BODIES</i>        | <i>House &amp; Senate disagree; bill died</i>                       |
| <i>CONF CMTE UNABLE TO AGREE</i>  | <i>Committee of Conference formed but unable to agree</i>           |
| <i>VETO SUSTAINED</i>             | <i>Legislature failed to override Governor's Veto</i>               |
| <i>UNSIGNED</i>                   | <i>Not signed by Governor within 10 days</i>                        |
| <i>DIED ON ADJOURNMENT</i>        | <i>Action incomplete when session ended; bill died</i>              |

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin.

If you have any suggestions or comments on these summaries, please let us know.

4693NRG

15. Make the fee currently paid for new dwelling units apply to all dwelling units installed in the State;
16. Require the board, upon receiving 10 or more similar complaints concerning manufactured homes, to notify purchasers of similar housing of their rights of action;
17. Move the responsibility for determining when a manufacturing defect exists from the manufacturer to the board;
18. Add disclosure requirements for defects for dealers selling used homes;
19. Clarify that the board may pursue out-of-state manufacturers, even if another state has certified that a home meets that state's standards;
20. Clarify the board's authority to pursue remedy on its own;
21. Allow consumers approximately one year from discovery to file a complaint;
22. Clarify that manufactured homes must comply with federal and state standards and require the use of the Department of Housing and Urban Development seal on all homes sold in the State;
23. Clarify that the board has the authority to hold hearings and to make findings;
24. Repeal statutory language that limits remedy to first-time purchasers;
25. Require mobile home park owners to notify tenants of their right to remedy through the board;
26. Expand the conditions that have to be met in sales of used mobile homes; and
27. Give a buyer the right to return, within 30 days of purchase, a mobile home that does not meet standards.

**LD 1457**      **An Act to Simplify Procedures for Property Abandoned by Tenants**

ONTP

**SPONSOR(S)**  
LAWRENCE

**COMMITTEE REPORT**  
ONTP

**AMENDMENTS ADOPTED**

**SUMMARY**

This bill would have amended existing abandoned property laws regarding the treatment of property abandoned by tenants. The bill would have streamlined and simplified the procedure for handling abandoned property by requiring a 21-day notice period and by providing a form notice to facilitate compliance with the law.

The bill also would have:

1. Permitted landlords to keep, discard, donate or sell abandoned property with a total fair market value of less than \$500 after the expiration of the 21-day notice period;
2. Allowed landlords to dispose of abandoned property with a total fair market value of \$500 or more, without notification to and permission from the Treasurer of State, unless the property was an abandoned mobile home;

3. Allowed landlords to condition release of the abandoned property to the former tenant prior to the actual sale upon the tenant's payment of the actual costs of storage, notice and preparation costs of the sale; and
4. Corrected a statutory section reference that is in error.

**LD 1460 An Act Relating to Publication of Legal Notices**

PUBLIC 239  
EMERGENCY

|                              |                                |                           |
|------------------------------|--------------------------------|---------------------------|
| <b>SPONSOR(S)</b><br>WEBSTER | <b>COMMITTEE REPORT</b><br>OTP | <b>AMENDMENTS ADOPTED</b> |
|------------------------------|--------------------------------|---------------------------|

**SUMMARY**

This bill authorizes the past publication of notices in the Somerset Gazette, which is not entered as 2nd class postal matter in the United States mail. The bill incorporates a similar exemption for the Coastal Journal that was created pursuant to Public Law 1967, chapter 428. Since these publications deal with legal notices, reference in the Maine Revised Statutes should include both newspapers.

**LD 1466 An Act Making Campaign Finance Reforms**

ONTP

|   |   |                           |
|---|---|---------------------------|
| <b>SPONSOR(S)</b><br>MARTIN J<br>BUTLAND<br>MARSH | <b>COMMITTEE REPORT</b><br>ONTP MAJ<br>OTP-AM MIN | <b>AMENDMENTS ADOPTED</b> |
|---|---|---------------------------|

**SUMMARY**

This bill would have established a system for voluntary compliance with campaign expenditure limits; established a public Campaign Financing Trust Fund; prescribed limitations for political action committees and lobbyists; prescribed regulations on accessing public funds for campaign expenditures related to gubernatorial and state legislative campaigns; decreased the membership of the Commission on Governmental Ethics and Election Practices and revised the appointment process to establish it as an independent commission; and increased the reviewing and reporting responsibilities of the commission.

Committee Amendment "A" (H-586), part of the minority committee report, would have added a fiscal note to the bill.

**LD 1474 RESOLUTION, Proposing an Amendment to the Constitution of Maine to Transfer the Responsibility for Recounts of Elections to the Judicial Branch**

DIED BETWEEN  
BODIES

|   |                                   |                                    |
|---|-----------------------------------|------------------------------------|
| <b>SPONSOR(S)</b><br>CAREY<br>STEVENS A | <b>COMMITTEE REPORT</b><br>OTP-AM | <b>AMENDMENTS ADOPTED</b><br>S-208 |
|---|-----------------------------------|------------------------------------|

**SUMMARY**

This resolution would have proposed an amendment to the Constitution of Maine to give the Chief Justice of the Supreme Judicial Court the responsibility to determine the result in disputed elections. The resolution would have implemented a recommendation of the Commission on Election Practices convened by the Secretary of State.