MAINE STATE LEGISLATURE

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STATE OF MAINE

125TH LEGISLATURE

FIRST REGULAR SESSION

Summaries of bills, adopted amendments and laws enacted or finally passed

JOINT STANDING COMMITTEE ON VETERANS AND LEGAL AFFAIRS

July 2011

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FIRST REGULAR SESSION

LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 125th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

CARRIED OVER .... *carried over to a subsequent session of the Legislature*
CON RES XXX .... *chapter # of constitutional resolution passed by both houses*
CONF CMTE UNABLE TO AGREE .... *Committee of Conference unable to agree; legislation died*
DIED BETWEEN HOUSES .... *House & Senate disagreed; legislation died*
DIED IN CONCURRENCE .... *defeated in each house, but on different motions; legislation died*
DIED ON ADJOURNMENT .... *action incomplete when session ended; legislation died*
EMERGENCY .... *enacted law takes effect sooner than 90 days after session adjournment*
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE .... *emergency failed to receive required 2/3 vote*
FAILED, ENACTMENT or FINAL PASSAGE .... *failed to receive final majority vote*
FAILED, MANDATE ENACTMENT .... *legislation proposing local mandate failed required 2/3 vote*
HELD BY GOVERNOR .... *Governor has not signed; final disposition to be determined at subsequent session*
LEAVE TO WITHDRAW .... *sponsor's request to withdraw legislation granted*
NOT PROPERLY BEFORE THE BODY .... *ruled out of order by the presiding officer; legislation died*
INDEF PP .... *indefinitely postponed; legislation died*
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X .... *ought-not-to-pass report accepted; legislation died*
P&S XXX .... *chapter # of enacted private & special law*
PUBLIC XXX .... *chapter # of enacted public Law*
RESOLVE XXX .... *chapter # of finally passed resolve*
VETO SUSTAINED .... *Legislature failed to override Governor's veto*

The effective date for non-emergency legislation enacted in the First Regular Session of the 125th Legislature is September 28, 2011. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

last quarterly reports before a November election from October 3rd to October 5th.

Enacted Law Summary

Public Law 2011, chapter 367 changes the date when political action and party committees must submit their last quarterly reports before a November election from October 10th to October 5th.

LD 1000   **Resolve, Directing the Secretary of State To Examine Centralization of the Petition Signature Verification Process**   **RESOLVE 75**

Sponsor(s)	Committee Report	Amendments Adopted
CHIPMAN	OTP-AM	H-507

This bill requires the Secretary of State rather than the registrars to verify signatures on petitions. The Secretary of State is required to verify the signatures on primary petitions, nomination petitions, citizen initiatives and people's veto referenda. The Secretary of State is required to fund the system of centralized voter signature verification within existing budgeted resources, although the Secretary of State may seek outside grant funding.

Committee Amendment "A" (H-507)

This amendment replaces the bill and creates a resolve directing the Secretary of State to examine the feasibility of centralizing the process for verifying signatures on candidate petitions, citizens' initiatives and people's veto referendum petitions.

Enacted Law Summary

Resolve 2011, chapter 75 directs the Secretary of State to examine the feasibility of centralizing the process for verifying signatures on candidate petitions, citizens' initiatives and people's veto referendum petitions.

LD 1006   **An Act To Provide a Remedy to Property Owners When a Tenant Defaults on a Lease**   **PUBLIC 122**

Sponsor(s)	Committee Report	Amendments Adopted
MOULTON	OTP-AM	H-180

In Rubin v. Josephson, 478 A.2d 665 (Me. 1984), the Supreme Judicial Court held that, when a residential lease does not contain termination language, the landlord may not use the tenancy at will provisions of state law to terminate the lease. In those cases, the only remedy available to a landlord when there is nonpayment of rent by the tenant is the use of a forcible entry and detainer action. In response to that case, this bill allows a landlord, after providing notice and service, and with cause, as provided in the tenancy at will statute, to terminate a lease that does not contain termination, default or forfeiture language.

Committee Amendment "A" (H-180)

The bill provides that when a lease fails to contain termination language, the landlord may terminate the lease by providing the tenant with seven days' notice and proof of cause. The amendment continues that provision but additionally allows the tenant to terminate such a lease or contract by providing the landlord with seven days' notice in the event of a substantial breach of a provision of the lease or contract. This amendment also removes the emergency preamble and emergency clause and the application section, which applied the bill's provisions to