

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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STATE OF MAINE
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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.

Joint Standing Committee on Veterans and Legal Affairs

LD 1054

An Act To Revise the Maine Clean Election Act Regarding Legislative Leadership Positions

**ACCEPTED
REPORT A
(ONTP)**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VALENTINO	ONTP A OTP-AM B OTP-AM C	

This bill prohibits a participating candidate under the Maine Clean Election Act from soliciting contributions from or accepting contributions for the establishment of a political action committee to influence or support the election of that participating candidate to a legislative leadership position.

LD 1067

An Act To Improve Awareness of Smoking Policies in Maine Rental Housing

PUBLIC 199

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANBORN BLISS	OTP-AM	H-276

This bill establishes the duties of a landlord in disclosing the policy pertaining to smoking on the premises to all tenants or potential tenants as well as purchasers of condominiums. Disclosures must be in writing and signed by both parties.

Committee Amendment "A" (H-276)

This amendment changes the title and replaces the bill. The amendment requires that landlords disclose the policy pertaining to smoking on the premises to all tenants or potential tenants. The amendment requires the landlord to provide notice as part of a lease agreement or through a separate written notice to those tenants or potential tenants entering into a tenancy at will agreement. The amendment removes the requirement in the bill that the landlord provide notice using a form developed by the Department of Health and Human Services, Maine Center for Disease Control and Prevention through rules. The amendment removes the penalty provision in the bill and clarifies that the failure by a landlord to provide disclosure of the smoking policy as required does not create grounds for a private cause of action by a tenant against a landlord. The amendment clarifies that a tenant may not use a violation of a smoking policy by another tenant as the basis for a private cause of action against a landlord. The amendment also removes the section of the bill requiring disclosure of smoking policies to purchasers of condominiums.

Enacted Law Summary

Public Law 2011, chapter 199 requires that landlords disclose the policy pertaining to smoking on the premises to all tenants or potential tenants either as part of a written lease agreement or through a separate written notice to those tenants or potential tenants entering into a tenancy at will agreement. The law clarifies that the failure by a landlord to provide disclosure of the smoking policy as required does not create grounds for a private cause of action by a tenant against a landlord and also clarifies that a tenant may not use a violation of a smoking policy by another tenant as the basis for a private cause of action against a landlord.