

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

SECOND REGULAR SESSION-2010

Legislative Document

No. 1805

H.P. 1292

House of Representatives, March 2, 2010

An Act To Correct Errors and Inconsistencies in the Laws of Maine

(EMERGENCY)

Reported by Representative PRIEST of Brunswick for the Revisor of Statutes pursuant to the Maine Revised Statutes, Title 1, section 94.

Reference to the Committee on Judiciary suggested and ordered printed pursuant to Joint Rule 218.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

1 **1. Energy efficiency disclosure.** A landlord or other lessor of residential property
2 that will be used by a tenant or lessee as a primary residence shall provide to potential
3 tenants or lessees a residential energy efficiency disclosure statement in accordance with
4 Title 35-A, section ~~40006~~ 10117, subsection 1 that includes, but is not limited to,
5 information about the energy efficiency of the property.

6 **Sec. 19. Effective date.** That section of this Act that amends the Maine Revised
7 Statutes, Title 14, section 6030-C, subsection 1 takes effect July 1, 2010.

8 **Sec. 20. 14 MRSA §8109, sub-§1,** as amended by PL 1991, c. 780, Pt. Y, §114,
9 is further amended to read:

10 **1. Procedures for State.** The State has authority to settle claims filed against it
11 pursuant to ~~section 8104~~ sections 8104-A, 8104-B, 8104-C and 8104-D in accordance
12 with the following procedures.

13 A. Any agency may settle any claim for an amount of \$1,500 or less when such
14 settlement is approved by the appropriate department or agency head in accordance
15 with rules adopted by the Commissioner of Administrative and Financial Services.

16 B. Any other claim may be settled when such settlement is approved by the head of
17 the department or agency against which the claim is filed, the Commissioner of
18 Administrative and Financial Services and the Attorney General.

19 **Sec. 21. 17-A MRSA §1175, first ¶,** as amended by PL 2009, c. 268, §8 and c.
20 391, §1, is repealed and the following enacted in its place:

21 Upon complying with subsection 1, a victim of a crime of murder or of a Class A,
22 Class B or Class C crime or of a Class D crime under chapters 9, 11 and 12 for which the
23 defendant is committed to the Department of Corrections or to a county jail or is
24 committed to the custody of the Commissioner of Health and Human Services either
25 under Title 15, section 103 after having been found not criminally responsible by reason
26 of insanity or under Title 15, section 101-D after having been found incompetent to stand
27 trial must receive notice of the defendant's unconditional release and discharge from
28 institutional confinement upon the expiration of the sentence or upon release from
29 commitment under Title 15, section 101-D or upon discharge under Title 15, section
30 104-A and must receive notice of any conditional release of the defendant from
31 institutional confinement, including probation, supervised release for sex offenders,
32 parole, furlough, work release, intensive supervision, supervised community
33 confinement, home release monitoring or similar program, administrative release or
34 release under Title 15, section 104-A.

35 **Sec. 22. 18-A MRSA §5-944, sub-§(b), ¶(6),** as enacted by PL 2009, c. 292, §2
36 and affected by §6, is amended to read:

37 (6). Receive the financial proceeds of a claim described in ~~subsection~~ paragraph (4)
38 and conserve, invest, disburse or use for a lawful purpose anything so received.

39 **Sec. 23. 20-A MRSA §15689, sub-§1, ¶B,** as amended by PL 2009, c. 1, Pt. C,
40 §2 and c. 213, Pt. C, §8, is repealed and the following enacted in its place:

SUMMARY

1
2 Section 1 corrects a reference to the biennial report of the Land and Water Resources
3 Council.

4 Section 2 repeals a reference to the Baxter Compensation Authority, which was
5 eliminated on July 1, 2007.

6 Section 3 corrects a conflict created by Public Law 2009, chapter 211, which changed
7 the name of the Junior Maine Guides and Trip Leaders Curriculum Advisory Board in the
8 Maine Revised Statutes, Title 5, section 12004-I, subsection 24, and chapter 369, which
9 repealed Title 5, section 12004-I, subsection 24. This section corrects the conflict by
10 repealing Title 5, section 12004-I, subsection 24.

11 Section 4 corrects the name of a commission.

12 Section 5 removes a reference to an annual report that is no longer required to be
13 prepared.

14 Section 6 corrects a conflict created by Public Law 2009, chapters 213 and 343,
15 which affected the same provision of law, by incorporating the changes made by both
16 laws.

17 Section 7 corrects a conflict created by Public Law 2009, chapters 324 and 325,
18 which affected the same provision of law, by incorporating the changes made by both
19 laws. Section 8 makes the changes retroactive to February 15, 2010.

20 Section 9 corrects a conflict created by Public Law 2009, chapters 324 and 325,
21 which affected the same provision of law, by incorporating the changes made by both
22 laws. Section 10 makes the changes retroactive to February 15, 2010.

23 Section 11 corrects a conflict created by Public Law 2009, chapter 324, which
24 repealed Title 11, article 7-A and chapter 325, which corrected a cross-reference in Title
25 11, section 7-102, subsection (1), paragraph (e), which is in the repealed article. This
26 section corrects the conflict by repealing Title 11, section 7-102. Section 12 makes the
27 change retroactive to February 15, 2010.

28 Section 13 corrects a conflict created by Public Law 2009, chapters 151 and 394,
29 which affected the same provision of law, by incorporating the changes made by both
30 laws.

31 Section 14 corrects a conflict created by Public Law 2009, chapters 340 and 369,
32 which affected the same provision of law, by incorporating the changes made by both
33 laws.

34 Section 15 corrects a conflict created when Public Law 2009, chapter 369 repealed
35 the Maine Revised Statutes, Title 12, section 10154 and chapter 211 amended the section.
36 This section corrects the conflict by repealing Title 12, section 10154.

1 Section 16 corrects a conflict created by Public Law 2009, chapters 213 and 340,
2 which affected the same provision of law, by incorporating the changes made by both
3 laws.

4 Section 17 corrects a conflict created by Public Law 2009, chapters 211 and 369,
5 which affected the same provision of law, by incorporating the changes made by both
6 laws.

7 Section 18 corrects a cross-reference, and section 19 adds an effective date.

8 Section 20 corrects a cross-reference.

9 Section 21 corrects a conflict created by Public Law 2009, chapters 268 and 391,
10 which affected the same provision of law, by incorporating the changes made by both
11 laws.

12 Section 22 corrects a cross-reference.

13 Section 23 corrects a conflict created by Public Law 2009, chapters 1 and 213, which
14 affected the same provision of law. This section repeals the provision and replaces it with
15 the chapter 213 version.

16 Section 24 corrects a conflict created when Public Law 2009, chapter 190 amended
17 Title 21-A, section 1011, 2nd paragraph and Public Law 2009, chapter 366 repealed the
18 paragraph. This section corrects the conflict by repealing the paragraph.

19 Section 25 corrects a conflict created by Public Law 2009, chapters 183 and 190,
20 which affected the same provision of law, by incorporating the changes made by both
21 laws.

22 Section 26 corrects a conflict created by Public Law 2009, chapters 190 and 366,
23 which affected the same provision of law. This section repeals the provision and replaces
24 it with the chapter 190 version.

25 Section 27 corrects a conflict created by Public Law 2009, chapters 190 and 366,
26 which affected the same provision of law. This section repeals the provision and replaces
27 it with the chapter 190 version.

28 Section 28 corrects a conflict created by Public Law 2009, chapters 190 and 366,
29 which affected the same provision of law, by incorporating the changes made by both
30 laws.

31 Section 29 corrects a conflict created when Public Law 2009, chapter 302 repealed
32 Title 21-A, section 1125, subsection 8 and Public Law 2009, chapters 286 and 363
33 amended that subsection. This section corrects the conflict by repealing the subsection.
34 Section 30 provides an effective date of September 1, 2011.

35 Section 31 corrects a conflict created by Public Law 2009, chapters 302 and 363,
36 which affected the same provision of law. This section repeals the provision and replaces