

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the resolve by striking out the title and substituting the following:

**'Resolve, To Create a Working Group
To Study Landlord and Tenant Issues'**

Amend the resolve in the emergency preamble by striking out the 2nd indented paragraph (page 1, lines 3 and 4 in L.D.) and inserting the following:

'Whereas, a working group to study issues related to landlords and tenants is created in this resolve and must issue its findings and report by December 2, 2009; and'

Amend the resolve by striking out all of sections 1 to 7 and inserting the following:

'Sec. 1 Working group established. Resolved: That the Attorney General or the Attorney General's designee shall convene a working group to study issues related to landlords and tenants as required in section 4. The Attorney General or the Attorney General's designee shall chair the working group and convene the first meeting of the working group, which must be no later than August 1, 2009; and be it further

Sec. 2 Working group members. Resolved: That the working group under section 1 consists of the following 10 members:

1. The Attorney General or the Attorney General's designee;
2. The Director of the Maine State Housing Authority or the director's designee;
3. Four members representing the following organizations:
 - A. The State's designated protection and advocacy agency pursuant to the Maine Revised Statutes, Title 5, section 19502;
 - B. A statewide nonprofit legal services organization that provides free legal services to the elderly;
 - C. A statewide nonprofit legal services organization that provides free legal services to low-income persons; and
 - D. A statewide nonprofit legal services organization that provides free legal services, including administrative and legislative advocacy, to low-income persons; and
4. Four members representing organizations of landlords and housing managers in the State.

The Attorney General or the Attorney General's designee shall invite the participation of one member representing the District Court selected by the Chief Justice of the Maine Supreme Judicial Court; and be it further

Sec. 3 Selection of members. Resolved: That, no later than 30 days following the effective date of this resolve, the organizations described in section 2 shall notify the Attorney General or the Attorney General's designee of the members selected for participation in the working group under section 1; and be it further

Sec. 4 Duties. Resolved: That the working group under section 1 shall:

1. Study the feasibility of providing heating fuel assistance and weatherization assistance for landlords who serve low-income tenants in certain economically distressed areas;
2. Study the issue of keeping housing units in proper repair, including examining the laws regarding warranty of habitability to see if there is a way to have the law work more simply to resolve both minor and major problems;
3. Study the issue of keeping tenants in their apartments in the event of a foreclosure;
4. Examine the current laws regarding evictions both in lease and tenancies at will to determine if consolidating those laws into one statutory scheme is feasible and to determine if some minimal standards should apply to lease tenancies;
5. Recommend changes to clarify and simplify the current law; and
6. Consider any other issues pertaining to landlord and tenant issues that it determines to be relevant; and be it further

Sec. 5 Notice to Legislature. Resolved: That the Attorney General shall provide written notice of working group under section 1 meetings and copies of any minutes of meetings to members of the Joint Standing Committee on Legal and Veterans Affairs and the Office of Policy and Legal Analysis; and be it further

Sec. 6 Staffing assistance. Resolved: That the Attorney General shall provide necessary staffing services to the working group under section 1. Upon the approval of the Legislative Council, the Office of Policy and Legal Analysis may provide drafting assistance with the preparation of recommended legislation. The drafting assistance provided by the Office of Policy and Legal Analysis may be provided only when the Legislature is not in session; and be it further

Sec. 7 Report. Resolved: That, no later than January 15, 2010, the working group under section 1 shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the Joint Standing Committee on Legal and Veterans Affairs. The Joint Standing Committee on Legal and Veterans Affairs is authorized to introduce a bill related to the subject matter of the report to the Second Regular Session of the 124th Legislature upon receipt of the report; and be it further

Sec. 8 Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

ATTORNEY GENERAL, DEPARTMENT OF THE

Administration - Attorney General 0310

Initiative: Provides one-time funds to contract for expert assistance in the area of landlord and tenant issues to provide the necessary staffing for the working group.

GENERAL FUND

2009-10

2010-11

All Other	\$10,000	\$0
GENERAL FUND TOTAL	<hr/> \$10,000	\$0

SUMMARY

This amendment replaces the resolve and changes the title. The amendment directs the Attorney General to convene a working group to study certain issues related to the laws governing landlords and tenants rather than establishing a blue ribbon commission with Legislators as proposed in the bill. The amendment requires the Attorney General to notify members of the Joint Standing Committee on Legal and Veterans Affairs of working group meetings and provide copies of minutes of meetings. The amendment requires the working group to report to the Joint Standing Committee on Legal and Veterans Affairs by January 15, 2010. It also adds an appropriations and allocations section.

FISCAL NOTE REQUIRED (See attached)