

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 JUDICIARY

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 Judiciary

LD 115 An Act To Amend the Laws Governing Child Support Enforcement

**MAJORITY
(ONTP) REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CASAVANT SULLIVAN	ONTP MAJ OTP-AM MIN	

This bill provides an exemption from attachment and execution for any debtor's interest in funds or assets that are necessary for the debtor to pay child support. It also provides that child support orders have priority over previously filed orders that are not made for the purpose of enforcing or paying child support.

Committee Amendment "A" (H-309)

This amendment is the minority report. It removes the provision in the bill that provides for an exemption from attachment and execution of the debtor's interest in assets that are necessary to pay existing or anticipated child support obligations. Instead, this amendment provides an exemption from attachment and execution of a debtor's interest in funds or assets that are necessary for the debtor to pay past-due child support pursuant to a support order except for funds or assets that are attached or executed upon to pay a contractual security interest, including but not limited to a mortgage or a tax lien or a mechanics lien preserved and enforced under the Maine Revised Statutes, Title 10, sections 3451 and 3452. It also provides that a support order does not take priority over an action to collect or enforce tax debts or a contractual security interest.

This amendment was not adopted.

LD 116 An Act To Require a 24-hour Waiting Period prior to an Abortion

**MAJORITY
(ONTP) REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLARK T MASON	ONTP MAJ OTP-AM MIN	

This bill requires a 24-hour waiting period prior to an abortion except in the case of a medical emergency. See also LD 914 and LD 1457.

Committee Amendment "A" (H-469)

This amendment is the minority report of the Joint Standing Committee on Judiciary.

This amendment provides a pregnant minor or a pregnant woman the option of receiving the required information and counseling from a physician other than the physician who performs the abortion. The informed written consent must still be obtained at least 24 hours before the abortion is performed, as required in the bill.

This amendment was not adopted.