

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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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 165 An Act To Require Divorce Actions To Go to Mediation

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PRESCOTT TRAHAN	ONTP	

This bill is a concept draft pursuant to Joint Rule 208.

It proposes to require all contested divorce cases to be resolved through mediation, instead of in the courts, unless there are extenuating circumstances, such as abuse.

**LD 170 An Act To Extend the Maximum Time Period for Powers of Attorney
for Minors and Incapacitated Persons**

PUBLIC 43

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NASS COURTNEY	OTP-AM	H-57

This bill extends the maximum time period for a power of attorney for a minor or incapacitated person from 6 to 12 months and authorizes the Probate Court, in issuing, modifying or terminating an order of guardianship of a minor, to include in the order transition arrangements as determined to be in the best interest of the child.

Committee Amendment "A" (H-57)

This amendment clarifies that orders providing for transitional arrangements may include, but are not limited to, rights of contact, housing, counseling or rehabilitation.

Enacted Law Summary

Public Law 2011, chapter 43 extends the maximum time period for a power of attorney for a minor or incapacitated person from 6 to 12 months and authorizes the Probate Court, in issuing, modifying or terminating an order of guardianship of a minor, to include in the order transition arrangements as determined to be in the best interest of the child. Orders providing for transitional arrangements may include, but are not limited to, rights of contact, housing, counseling or rehabilitation.

**LD 194 An Act To Make Permanent the Direction of Fines Derived from Tribal
Law Enforcement Activities to the Passamaquoddy Tribe and the
Penobscot Nation**

PUBLIC 426

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
Soctomah	OTP-AM	H-375

This bill removes the provision of law that repeals the laws that direct fines derived from tribal law enforcement activities to the Passamaquoddy Tribe and the Penobscot Nation.