

MAINE STATE LEGISLATURE

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STATE OF MAINE
128TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

JOINT STANDING COMMITTEE ON JUDICIARY

August 2017

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STATE OF MAINE

128TH LEGISLATURE
FIRST REGULAR SESSION



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 128th 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. An appendix provides a summary of relevant session statistics.

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 128th Legislature is Wednesday, November 1, 2017. 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 536 An Act To Protect Homeowners from Debt Collectors

ONTP

Sponsor(s)

ORDWAY L

Committee Report

ONTP

Amendments Adopted

This bill prohibits a court from ordering a sale of property to satisfy a lien on the property if the owner of the property occupies the property as the owner's residence.

LD 537 An Act To Provide an Exemption from Road Association Payments for Landowners Whose Primary Access Is Not over the Road

Died Between Houses

Sponsor(s)

WADSWORTH N
HAMPER J

Committee Report

ONTP
OTP-AM

Amendments Adopted

This bill provides an exemption from road association payments for an owner of a parcel of land benefited by a private road, private way or bridge that does not serve as the primary access route to the land. The owner is exempt from all payments or assessments for repairs or maintenance determined to be undertaken by the road association as long as the owner notifies the owners of all other parcels benefited by the road, way or bridge prior to the determination by the road association to undertake the repair or maintenance.

Committee Amendment "A" (H-531)

This amendment is the minority report and it replaces the bill. The amendment provides that an owner of a parcel of land benefited by a private road, private way or bridge that does not serve as the primary access to that parcel is exempt from all payments or assessments for repairs or maintenance relating to that private road, private way or bridge if the owner agrees to not use the private road, private way or bridge for any means of access to the parcel, whether by private vehicle or any other vehicle. An owner must claim the exemption by providing written notice to the commissioner or board of the road association. The owner is then not subject to assessments and has no voting rights in the association. An owner may terminate an exemption by notifying the road association in writing. The exemption is terminated if the no-use agreement is violated by the owner.

This amendment was not adopted.

LD 578 An Act To Modify the Divorce Laws Concerning Perpetrators of Domestic Violence

ONTP

Sponsor(s)

SAVIELLO T

Committee Report

ONTP

Amendments Adopted

This bill prohibits in a divorce action the awarding of spousal support or retirement benefits to a party if the party has been convicted of or proved by a preponderance of the evidence to have committed domestic violence assault, domestic violence criminal threatening, domestic violence terrorizing or domestic violence stalking and the other party was the victim. The bill also prohibits the party from continuing to use the victim's name unless the names of the parties were identical before the marriage.