

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 1465 An Act To Protect Elders from Financial Exploitation and Ensure the Efficient Use of Litigation Resources for the State

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HILL D MOONEN M	ONTP	

This bill provides General Fund appropriations for the Department of the Attorney General to establish one Research Assistant position dedicated to the litigation division and one Attorney General Detective position to assist in cases involving elder financial exploitation.

LD 1482 An Act To Implement the Recommendations of the Right To Know Advisory Committee Concerning Existing Public Records Exceptions

PUBLIC 163

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM OTP	H-333

This bill implements the recommendations of the Right To Know Advisory Committee relating to its review of existing public records exceptions enacted after 2004 and before 2013.

This bill repeals the current exception from the definition of "public records" under Maine's Freedom of Access Act for social security numbers in the possession of the Secretary of State because this is duplicative of the existing general exception for social security numbers in the Maine Revised Statutes, Title 1, section 402, subsection 3, paragraph N.

This bill changes the criteria for designation of records of the Efficiency Maine Trust as confidential from requiring that each of four criteria be met to instead require that one of two criteria be met. This bill also provides that the director of the Efficiency Maine Trust, instead of the Efficiency Maine Trust Board, may disclose or authorize disclosure of otherwise confidential information in certain specified circumstances.

Committee Amendment "A" (H-333)

This amendment is the majority report, and it retains the current decision-making authority of the Efficiency Maine Trust Board with regard to treating records as confidential.

Enacted Law Summary

Public Law 2017, chapter 163 implements the recommendations of the Right To Know Advisory Committee relating to its review of existing public records exceptions enacted after 2004 and before 2013.

Public Law 2017, chapter 163 repeals the current exception from the definition of "public records" under Maine's Freedom of Access Act for social security numbers in the possession of the Secretary of State because this is duplicative of the existing general exception for social security numbers in the Maine Revised Statutes, Title 1, section 402, subsection 3, paragraph N.

Public Law 2017, chapter 163 changes the criteria for designation of records of the Efficiency Maine Trust as confidential from requiring that each of four criteria be met to instead require that one of two criteria be met.