

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
128<sup>TH</sup> LEGISLATURE  
FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



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

**JOINT STANDING COMMITTEE ON JUDICIARY**

October 2018

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JANET STOCCO, LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670  
<http://legislature.maine.gov/opla/>

# STATE OF MAINE

128<sup>TH</sup> LEGISLATURE

FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contain summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Special, Second Regular and Second Special Sessions of the 128<sup>th</sup> 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 dates for non-emergency legislation enacted in the First Special, Second Regular or Second Special Sessions of the 128<sup>th</sup> Legislature are: Monday, February 5, 2018; Wednesday, August 1, 2018; and Thursday, December 13, 2018, respectively. 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 1678 An Act To Amend the Laws Affecting the Judicial Branch Regarding Railroad Trespass Civil Violations and Fines for Civil Violations**

**PUBLIC 329**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MOONEN M KEIM L	OTP-AM	H-591

This bill authorizes the Chief Judge of the District Court to establish a schedule of the fines to be imposed on individuals charged with specific civil violations who wish to waive their rights to contest the charges in court and instead admit to committing the violations.

The bill also reclassifies as "traffic infractions" rather than "civil violations" first-, second- and third-offense civil railroad trespasses involving walking or standing on a railroad track or bridge without permission. By reclassifying these offenses, the bill allows these offenses to be processed by the District Court's violations bureau in the same way that traffic infractions are processed.

**Committee Amendment "A" (H-591)**

This amendment clarifies that when the Chief Judge of the District Court establishes the schedule of fines for civil violations to be imposed on persons charged with civil violations who wish to admit to the violations and waive their rights to contest the charges in court, the fines on the schedule must be within the limits prescribed by law.

**Enacted Law Summary**

Public Law 2017, chapter 329 authorizes the Chief Judge of the District Court to establish, within the limits prescribed by law, a schedule of the fines to be imposed on individuals charged with specific civil violations who admit to committing the violations and agree to waive their rights to contest the charges in court.

Chapter 329 also reclassifies as "traffic infractions" rather than "civil violations" first-, second- and third-offense civil railroad trespasses involving walking or standing on a railroad track or bridge without permission. Once reclassified, these offenses can be processed by the District Court's violations bureau in the same way that traffic infractions are processed.

**LD 1691 Resolve, Directing the Secretary of State To Study the Revised Uniform Law on Notarial Acts**

**Died Between Houses**

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

This resolve directs the Secretary of State to review the Revised Uniform Law on Notarial Acts approved in 2010 by the National Conference of Commissioners on Uniform State Laws. The resolve directs the Secretary of State to submit a report, including a recommendation whether to adopt the uniform law along with any proposed implementing legislation, to the joint standing committee of the Legislature having jurisdiction over judiciary matters, which is authorized to report out a bill to the 129th Legislature.