

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature coming from the

JOINT STANDING COMMITTEE ON JUDICIARY

July 2007

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*Representative Bonnie S. Gould replaced former Representative Abigail Holman on the Judiciary Committee.

STATE OF MAINE

123RD LEGISLATURE

FIRST REGULAR SESSION

LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS



This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature, which was in session from December 6, 2006 to June 21, 2007.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill 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 bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

| | |
|---|---|
| CON RES XXX..... | Chapter # of Constitutional Resolution passed by both Houses |
| CONF CMTE UNABLE TO AGREE..... | Committee of Conference unable to agree; bill died |
| DIED BETWEEN BODIES..... | House & Senate disagree; bill died |
| DIED IN CONCURRENCE..... | One body accepts ONTP report; the other indefinitely postpones the bill |
| DIED ON ADJOURNMENT..... | Action incomplete when session ended; bill died |
| EMERGENCY..... | Enacted law takes effect sooner than 90 days |
| FAILED EMERGENCY ENACTMENT/FINAL PASSAGE..... | Emergency bill failed to get 2/3 vote |
| FAILED ENACTMENT/FINAL PASSAGE..... | Bill failed to get majority vote |
| FAILED MANDATE ENACTMENT..... | Bill imposing local mandate failed to get 2/3 vote |
| NOT PROPERLY BEFORE THE BODY..... | Ruled out of order by the presiding officers; bill died |
| INDEF PP..... | Bill Indefinitely Postponed |
| ONTP (or Accepted ONTP report)..... | Ought Not To Pass report accepted |
| OTP-ND..... | Committee report Ought To Pass In New Draft |
| P&S XXX..... | Chapter # of enacted Private & Special Law |
| PASSED..... | Joint Order passed in both bodies |
| PUBLIC XXX..... | Chapter # of enacted Public Law |
| RESOLVE XXX..... | Chapter # of finally passed Resolve |
| UNSIGNED..... | Bill held by Governor |
| VETO SUSTAINED..... | Legislature failed to override Governor's Veto |

Please note that the effective date for non-emergency legislation enacted in the First Regular Session is **September 20, 2007**. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

Joint Standing Committee on Judiciary

LD 1864 requires the court in child protection proceedings to protect the confidentiality of information pertaining to the current address or location of a person when that person either has a current order prohibiting contact by another party to the proceeding or has alleged under oath that the health, safety or liberty of the person would be jeopardized by disclosure of the information.

Committee Amendment "A" (S-254)

This amendment retains the provisions of the bill and adds general language to the Maine Revised Statutes, Title 4 that pertains to the Supreme Judicial Court adopting rules that protect, in any court in any case, a party's or participant's address or location information if a no contact order exists or the party or participant submits an allegation or pleading under oath that the person's health, safety or liberty would be jeopardized by the disclosure of that information.

Enacted Law Summary

Public Law 2007, chapter 351 requires the court in child protection proceedings to protect the confidentiality of information pertaining to the current address or location of a person when that person either has a current order prohibiting contact by another party to the proceeding or has alleged under oath that the health, safety or liberty of the person would be jeopardized by disclosure of the information. Chapter 351 adds general language to the Maine Revised Statutes, Title 4 that pertains to the Supreme Judicial Court adopting rules that protect, in any court in any case, a party's or participant's address or location information if a no contact order exists or the party or participant submits an allegation or pleading under oath that the person's health, safety or liberty would be jeopardized by the disclosure of that information.

LD 1881 An Act To Improve Transparency and Accountability in Government

CARRIED OVER

Sponsor(s)
WESTON

Committee Report

Amendments Adopted

LD 1881 amends the freedom of access laws in the following ways.

1. It creates a timeline that must be followed to comply with requests for public records.
2. It permits a person to request by telephone that a copy of a public record be mailed to that person.
3. It allows a copy of a requested public record to be mailed if the requester pays for the mailing service.
4. It establishes procedures for requests for inspection or copies of public records.

LD 1881 is carried over pursuant to Joint Order, HP 1369.

LD 1904 An Act To Correct Errors and Inconsistencies in the Laws of Maine

**PUBLIC 466
EMERGENCY**

Sponsor(s)

Committee Report
OTP-AM

Amendments Adopted
H-630
H-631 SIMPSON

LD 1904 makes technical corrections in the Laws of Maine.

Committee Amendment "A" (H-630)