

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
124<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during  
the First Regular Session of the 124<sup>th</sup> Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON JUDICIARY**

July 2009

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# STATE OF MAINE

124<sup>TH</sup> LEGISLATURE  
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## 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 124<sup>th</sup> Maine Legislature.

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:

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; 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; bill died
ONTP (or Accepted ONTP report).....	Ought Not To Pass report accepted; bill died
P&S XXX.....	Chapter # of enacted Private & Special Law
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

The effective date for non-emergency legislation enacted in the First Regular Session of the 124<sup>th</sup> Legislature is September 12, 2009. 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 527**     **An Act To Require a Referee of a Land Dispute To Render a Decision within One Year**

**PUBLIC 166**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO GOOLEY	OTP-AM	H-191

This bill requires that a referee appointed by the court to hear a dispute involving real property must report the referee's decision within one year of appointment.

**Committee Amendment "A" (H-191)**

This amendment allows the reporting period to be extended if good cause is shown.

**Enacted Law Summary**

Public Law 2009, chapter 166 requires that a referee appointed by the court to hear a dispute involving real property must report the referee's decision within one year of appointment, although the one-year period may be extended if good cause is shown.

**LD 528**     **An Act To Prohibit a Person Whose Parental Rights Have Been Terminated from Gaining Custody of a Grandchild**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLARK H	ONTP	

This bill amends the parental rights and responsibilities laws to ensure that a court does not award parental rights and responsibilities to a grandparent whose parental rights to any child have been terminated. It also prohibits the court from awarding rights of contact to a grandparent whose parental rights to any child have been terminated. This bill also amends the Probate Code to provide that appointment of a person as the guardian of that person's grandchild is not in the best interest of the child if the person's parental rights with respect to any child have been terminated and that such an appointment may not be made.

**LD 529**     **An Act To Create a Traffic Court**

**Carried Over**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PILON DAMON		

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

This bill proposes to move the violations bureau from the District Court to the office of the Secretary of State.

This bill was carried over pursuant to Joint Order, H.P. 1053.