

MAINE STATE LEGISLATURE

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STATE OF MAINE
125TH LEGISLATURE
FIRST REGULAR SESSION



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

JOINT STANDING COMMITTEE ON JUDICIARY

July 2011

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STATE OF MAINE
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LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 125th 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. 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 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 125th Legislature is September 28, 2011. 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 511 **Resolve, Directing the Department of Health and Human Services To
Examine the Issue of Revocation of Licenses for Nonpayment of Child
Support** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SNOWE-MELLO	ONTP	

This resolve directs the Commissioner of Health and Human Services and the Department of Health and Human Services to examine the issue of the revocation of drivers licenses for the nonpayment of child support and report to the Joint Standing Committee on Health and Human Services no later than December 7, 2011.

LD 526 **An Act To Protect Persons Who Have Buildings on Leased Land** **ONTP**

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

This bill provides that a person who purchases land on which there is a building owned by another person who leases the land may not change the prior uses of the land without the consent of the lessee. It provides that a person who purchases land that is subject to a lease may not increase existing rent by more than 10% a year. It also provides that a person who violates one of these requirements is liable to the lessee for the fair market value of the lessee's property. The bill provides that the provision is retroactive to January 1, 2010.

LD 532 **An Act To Update the Maine Uniform Trust Code** **PUBLIC 42**

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

This bill contains recommendations of the Probate and Trust Law Advisory Commission pursuant to the Maine Revised Statutes, Title 18-A, section 1-803, subsection 2. The bill amends the Maine Uniform Trust Code, which is based on the Uniform Trust Code approved by the National Conference of Commissioners on Uniform State Laws, and includes Maine Comments to explain the amendments.

Enacted Law Summary

Public Law 2011, chapter 42 contains recommendations of the Probate and Trust Law Advisory Commission pursuant to the Maine Revised Statutes, Title 18-A, section 1-803, subsection 2. It amends the Maine Uniform Trust Code, which is based on the Uniform Trust Code approved by the National Conference of Commissioners on Uniform State Laws, and includes Maine Comments to explain the amendments.

Chapter 42 adds a definition of "current beneficiary" to the Maine Uniform Trust Code. It amends the Maine Uniform Trust Code to distinguish between the rights of current beneficiaries and qualified beneficiaries in general