

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

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



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

**JOINT STANDING COMMITTEE ON JUDICIARY**

July 2011

**MEMBERS:**

SEN. DAVID R. HASTINGS III, CHAIR  
SEN. RICHARD G. WOODBURY  
SEN. CYNTHIA A. DILL

REP. JOAN M. NASS, CHAIR  
REP. G. PAUL WATERHOUSE  
REP. MICHAEL G. BEAULIEU  
REP. RALPH W. SARTY, JR.  
REP. BRADLEY S. MOULTON  
REP. KAREN D. FOSTER  
REP. CHARLES R. PRIEST  
REP. CHARLES B. KRUGER  
REP. MAEGHAN MALONEY  
REP. MEGAN M. ROCHELO

**STAFF:**

MARGARET J. REINSCH, SENIOR ANALYST  
CURTIS C. BENTLEY, LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670

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



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 125<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. 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 125<sup>th</sup> 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*

See also LD 116 and LD 914.

### **Committee Amendment "A" (H-468)**

This amendment is the minority report of the Joint Standing Committee on Judiciary.

This amendment gives the Probate Court or the District Court 96 hours to rule and issue findings of fact and conclusions of law on a minor's or incapacitated person's request for an abortion without the consent of the parent or legal guardian. The bill requires a decision within 48 hours.

This amendment was not adopted.

<b>LD 1465</b>	<b>An Act To Amend the Laws Governing Freedom of Access</b>	<b>Carried Over</b>
----------------	---	---------------------

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

This bill increases governmental transparency by enhancing the existing freedom of access laws to provide deadlines for responses to requests for public records, to ensure that requesters can access public records in the format requested and to require the designation of public access officers for every agency and political subdivision.

The bill provides funding for an Assistant Attorney General position located in the Office of the Attorney General to act as the public access ombudsman, which is a part-time position.

This bill was carried over to any special and/or regular session of the 125th Legislature pursuant to joint order, H.P. 1190.

<b>LD 1473</b>	<b>An Act To Clarify Rights-of-way Laws</b>	<b>PUBLIC 312</b>
----------------	---	-------------------

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WEAVER SHERMAN	OTP-AM	H-440

Current law allows a person who owns land that abuts a proposed, unaccepted way ownership to the center line of that proposed way. This bill allows a person who owns land in a subdivision that abuts a proposed, unaccepted way to own the entire width of the way if the land on the opposite side of the way is not part of the subdivision and allows the person to own an extension of that portion of the way beyond the boundary of the person's land that is not bounded by another owner's land on the person's side of the way.

### **Committee Amendment "A" (H-440)**

This amendment inserts into the Maine Revised Statutes, Title 33, section 469-A the actual effective date of Public Law 1987, chapter 385, which originally enacted section 469-A, to make explicit the proper application of that section.

### **Enacted Law Summary**