

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

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

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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

Part G corrects the membership changes in the Advisory Committee on College Savings enacted by Public Law 2011, chapter 150 as intended by the Joint Standing Committee on Education and Cultural Affairs. Part G deletes wording that was inadvertently retained and corrects the effective date and transition language.

Part H amends Public Law 2011, chapter 302 to correct inconsistent terminology concerning reciprocity in the enforcement of tolls. Part H applies retroactively to June 20, 2011.

Part I corrects inconsistencies in terminology in Public Law 2011, chapter 402, which establishes a process to allow a child who is the subject of a permanency guardianship to be adopted by the permanency guardian. Part G takes effect when Public Law 2011, chapter 402 takes effect, which is 90 days after the adjournment of the First Regular Session of the 125th Legislature.

Part J corrects language relating to transfers of certain sales tax revenue to the State Transit, Aviation and Rail Transportation Fund to incorporate changes inadvertently omitted from Public Law 2011, chapter 209 and Public Law 2011, chapter 380, Part G.

Part K deletes an unnecessary word inadvertently included in the description of the Department of Public Safety, Bureau of State Police's accident report database in Public Law 2011, chapter 390.

Part L amends the option for state employees and teachers who return to work subsequent to their retirement to apply to those individuals who retire after September 1, 2011 rather than those who retire on or after July 1, 2011, as was enacted by Public Law 2011, chapter 380, Part MMM.

Part M makes corrections to resolve conflicts and inconsistencies created by Public Law 2011, chapter 286 and Public Law 2011, chapter 406. Both chapters amended statutes concerning the licensing of electricians. Chapter 406 repealed the requirement that electrical companies be licensed as entities. This Part amends provisions in the electrician licensing laws to be consistent with that repeal by eliminating references to violations by firms and corporations. The requirements that apply to the different licenses for electricians are not affected. Part M is effective 90 days after the adjournment of the First Regular Session of the 125th Legislature.

Public Law 2011, chapter 420 was enacted as an emergency measure effective July 6, 2011 unless otherwise provided.

LD 1482

An Act To Provide That Private Transfer Fee Obligations on Real Property Are Void and Unenforceable

PUBLIC 200

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

This bill provides that private transfer fee obligations on real property are void and unenforceable.

Enacted Law Summary

Public Law 2011, chapter 200 provides that private transfer fee obligations on real property are void and unenforceable.