

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
126TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, amendments and laws enacted or finally passed

JOINT STANDING COMMITTEE ON JUDICIARY

July 2013

MEMBERS:

SEN. LINDA M. VALENTINO, CHAIR
SEN. JOHN L. TUTTLE
SEN. DAVID C. BURNS

REP. CHARLES R. PRIEST, CHAIR
REP. KIM J. MONAGHAN-DERRIG
REP. JENNIFER DECHANT
REP. MATTHEW W. MOONEN
REP. STEPHEN W. MORIARTY
REP. LISA RENEE VILLA
REP. JARROD S. CROCKETT
REP. MICHAEL G. BEAULIEU
REP. ANITA PEAVEY HASKELL
REP. STACEY K. GUERIN
REP. WAYNE T. MITCHELL

STAFF:

MARGARET J. REINSCH, SENIOR ANALYST
SUSAN Z. JOHANNESMAN, ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

STATE OF MAINE

126TH LEGISLATURE
FIRST REGULAR SESSION



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 126th 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 126th Legislature is October 9, 2013. 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

Current law requires the court, in deciding issues regarding a child's residence and parent-child contact, to consider the relationship of the child with persons who may significantly affect the child's welfare.

This bill specifically includes in this category of persons the current spouses or domestic partners of the child's parents.

LD 208 An Act To Amend the Charter of St. Mark's Home for Women in Augusta P & S 6

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
POULIOT KATZ	OTP-AM	H-48

This bill changes the charter of St. Mark's Home for Women in Augusta by changing the name of the home to St. Mark's Home.

Committee Amendment "A" (H-48)

This amendment amends the bill to ensure that providing a residence for women will continue to be a responsibility of St. Mark's Home if the home's board of directors changes the policy to accommodate men as well as women.

Enacted Law Summary

Private and Special Law 2013, chapter 6 changes the name of St. Mark's Home for Women and also ensures that providing a residence for women will continue to be a responsibility of St. Mark's Home if the home's board of directors changes the policy to accommodate men as well as women.

LD 209 An Act To Strengthen the Rights of Grandparents under the Grandparents Visitation Act ACCEPTED MAJORITY (ONTP) REPORT

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

This bill amends the Grandparents Visitation Act to provide a definition of "significant existing relationship." A grandparent who can prove a sufficient existing relationship with a grandchild has standing to seek contact with the child. This new definition provides that a grandparent who proves that the grandparent is playing or has played a significant beneficial role in the child's life can establish standing to proceed with the action. This bill makes clear that, although acting as a parent to a child meets the requirements of a "sufficient existing relationship" with a child that is not the only relationship that meets the requirements.

LD 217 An Act To Implement the Recommendations of the Right To Know Advisory Committee Concerning Public Access to Records Relating to Public-private Partnerships ONTP

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

Joint Standing Committee on Judiciary

This bill implements the majority recommendation of the Right To Know Advisory Committee concerning the confidentiality of public-private partnerships for transportation facilities.

Current law requires that the Department of Transportation submit to the Legislature a bill that authorizes the agreement that implements a public-private partnership for the development of a transportation facility. This bill requires the department to publish public notice on the department's publicly accessible website or in newspapers when it has determined that a public-private proposal and agreement meets the standards of the Maine Revised Statutes, Title 23, chapter 410, subchapter 5 and to wait at least 30 days after the public notice has been published to submit the bill.

See LD 721 reported out by the Joint Standing Committee on Transportation.

LD 220 An Act To Ban the United Nations Agenda 21 in Maine

**ACCEPTED
MAJORITY
(ONTP) REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LONG JACKSON T	ONTP OTP-AM	

This bill prohibits the State or any political subdivision of the State from adopting or implementing policies originating in the United Nations Agenda 21 or other international laws that restrict private property rights without due process. Because the United Nations has accredited and enlisted numerous nongovernmental and intergovernmental organizations to assist in the implementation of its policies related to Agenda 21 around the world, the bill prohibits the State or any political subdivision from entering into agreements or financial arrangements with those organizations.

Committee Amendment "A" (H-177)

This amendment is the minority report of the Joint Standing Committee on Judiciary. It incorporates a fiscal note.

This amendment was not adopted.

LD 224 An Act To Streamline the Change of Name Process for Persons Getting Married

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MASTRACCIO PATRICK	ONTP	

This bill allows a person who is getting married to change that person's name by indicating the new name on the application for recording notice of intent to marry, which becomes effective upon the completion of the marriage license.