

MAINE STATE LEGISLATURE

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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

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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

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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

LD 311 **An Act To Protect Landowners from the Exercise of Eminent Domain in Energy Infrastructure Corridors** **ONTP**

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

This bill repeals the eminent domain authority for the purposes of developing an energy infrastructure corridor and prohibits any authority for eminent domain under Maine law to be used for the purposes of establishing or developing an energy infrastructure corridor.

LD 313 **An Act To Create the Maine Online Privacy Protection Act** **ACCEPTED MAJORITY (ONTP) REPORT**

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

This bill requires a person or company that owns a publicly accessible website or online service that collects personal information from an individual consumer who is a resident of this State to post a privacy statement in a conspicuous location on its publicly accessible website. The bill also lists required content of the privacy statement.

Committee Amendment "A" (H-435)

This amendment is the minority report of the Joint Standing Committee on Judiciary. It makes changes consistent with California's Online Privacy Protection Act.

This amendment provides that the privacy statement required in the bill must list the categories of personal information that the website operator collects. It also provides that the categories of entities, rather than a description of entities with whom personal information may be shared as described in the bill, must be disclosed. It clarifies the process for a consumer who uses or visits the site to review and request changes to personal information. The amendment also makes the privacy statement font requirements the same as California's.

This amendment adds two exceptions to the application of the Maine Online Privacy Protection Act. First, if a website operator is subject to and in compliance with another state or federal law or regulation that requires the posting of an online privacy statement, this law does not apply. Government agencies of this State are also exempt.

This amendment was not adopted.

LD 321 **Resolve, Directing the Probate and Trust Law Advisory Commission To Review Maine's Probate Code and the Uniform Probate Code** **RESOLVE 5**

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

This resolve directs the Probate and Trust Law Advisory Commission to conduct a review of the current Probate Code and the latest version of the Uniform Probate Code adopted by the Uniform Law Commission and to make legislative recommendations based on the review. The Probate and Trust Law Advisory Commission is directed to