

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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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

authorizes the Secretary of State to not charge the regular filing fee to a limited liability company that files a statement of correction to change its name pursuant to the statutory changes made in chapter 58 if the statement of correction is filed on or before October 1, 2013.

Public Law 2013, chapter 58 was enacted as an emergency measure effective May 3, 2013.

LD 512 An Act To Allow Licensed Foresters To Use Mechanics Liens

**ACCEPTED
MAJORITY
(ONTP) REPORT**

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

This bill adds licensed foresters to the list of people who can place a lien on the property of another for nonpayment of services.

LD 522 An Act To Amend the Guardian Ad Litem Laws

ONTP

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

This bill implements the recommendations included in the report "Recommendations for an Improved Process for Complaints Regarding Guardians Ad Litem" submitted to the Supreme Judicial Court in 2012 by the Guardian Ad Litem Task Force, appointed by Chief Justice Saufley. Current law requires a guardian ad litem appointed in a family matters case to submit a written report to the parties and the court.

This bill requires a written report only if the court directs the guardian ad litem to file a report. This bill provides that the Supreme Judicial Court may adopt rules governing guardians ad litem appointed in family matters cases under the Maine Revised Statutes, Title 19-A and in child protective cases under Title 22. The rules may cover registration or certification, qualifications, standards of practice, continuing education requirements and discipline. Discipline includes a process to provide for the just determination of complaints from parties in actions under Title 19-A and Title 22.

See LD 872, An Act To Improve the Quality of Guardian ad Litem Services for the Children and Families of Maine.

LD 548 An Act To Amend the Laws Governing the Award of Spousal Support in Divorce Actions

PUBLIC 327

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOHNSON D YOUNGBLOOD	OTP-AM	H-330

This bill makes the following changes regarding spousal support in divorce actions.

1. It renames "general support" as "transitional support."
2. It removes the rebuttable presumption against an award of transitional support for marriages shorter than 10