

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
126<sup>TH</sup> 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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# STATE OF MAINE

126<sup>TH</sup> 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 126<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 126<sup>th</sup> 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 686      Resolve, To Increase Funding for Indigent Legal Aid Provided to Wabanaki Tribal Members      ONTP**

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

This resolve directs the Maine Commission on Indigent Legal Services to amend its rules to increase the reimbursement rate for indigent legal services provided to a member of the Penobscot Nation, Passamaquoddy Tribe, Houlton Band of Maliseet Indians or Aroostook Band of Micmacs from \$50 per hour to \$80 per hour effective January 1, 2014.

**LD 687      An Act To Amend the Law Concerning Protection from Abuse Orders To Include Pets      PUBLIC 109**

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

This bill amends the law concerning protection from abuse orders to allow the court to include provisions in protection from abuse orders, including temporary orders, that direct the defendant to refrain from injuring or threatening to injure an animal that is owned, possessed, leased, kept or held by either party or a minor child residing in the household.

**Enacted Law Summary**

Public Law 2013, chapter 109 allows the court to include provisions in protection from abuse orders, including temporary orders, that direct the defendant to refrain from injuring or threatening to injure an animal that is owned, possessed, leased, kept or held by either party or a minor child residing in the household.

**LD 688      An Act Concerning Adverse Possession      ONTP**

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

This bill provides that a person may not use a claim of adverse possession to gain ownership of property against an owner of record who has paid property taxes on the property during the period for which the claimant has asserted being in possession of the property.

**LD 725      An Act To Implement the Recommendations of the Judicial Compensation Commission      CARRIED OVER**

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

This bill implements the recommendations of the Judicial Compensation Commission. It increases the salary of justices in the Supreme Judicial Court, Superior Court and District Court to provide a cost-of-living increase equal