

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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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

LD 784 **An Act To Impose Penalties for Residential Mortgage Loan Fraud and False Representation Concerning Title** **ONTP**

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

This bill establishes civil and criminal penalties for those persons engaging in residential mortgage loan fraud and making a false representation concerning title.

Foreclosure issues have been consolidated for consideration under LD 1389, which is carried over.

LD 785 **An Act To Ensure the Periodic Review and Revision of Statutory Provisions** **PUBLIC 110**

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

This bill requires that program evaluation reports filed by state agencies pursuant to the State Government Evaluation Act identify provisions contained in the agency's or independent agency's enabling or authorizing statutes that may require legislative review to determine the necessity of amendment to align the statutes with federal law, other state law or judicial decisions.

The bill directs the Office of the Revisor of Statutes and the Office of Policy and Legal Analysis to review the program evaluation reports and any resulting legislation and to submit a report that lists statutory provisions that are identified as potentially requiring legislative review regarding the necessity of amendment to align the statute with federal law, other state law or judicial decisions to the relevant joint standing committees, as well as to the joint standing committee of the Legislature having jurisdiction over judiciary matters. Under the bill, each joint standing committee of the Legislature receiving a report is directed to make recommendations to the joint standing committee of the Legislature having jurisdiction over judiciary matters, which is authorized to report out a bill to make statutory changes to align the statutes with federal law, other state law or decisions of the United States Supreme Court or the Supreme Judicial Court.

Enacted Law Summary

Public Law 2013, chapter 110 requires that program evaluation reports filed by state agencies pursuant to the State Government Evaluation Act identify provisions contained in the agency's or independent agency's enabling or authorizing statutes that may require legislative review to determine the necessity of amendment to align the statutes with federal law, other state law or judicial decisions. The Office of the Revisor of Statutes and the Office of Policy and Legal Analysis shall review the program evaluation reports and any resulting legislation and submit a report that lists statutory provisions that are identified as potentially requiring legislative review regarding the necessity of amendment to align the statute with federal law, other state law or judicial decisions to the relevant joint standing committees, as well as to the joint standing committee of the Legislature having jurisdiction over judiciary matters. Each joint standing committee of the Legislature receiving a report is required to make recommendations to the joint standing committee of the Legislature having jurisdiction over judiciary matters, which is authorized to report out a bill to make statutory changes to align the statutes with federal law, other state law or decisions of the United States Supreme Court or the Supreme Judicial Court.