

# 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 1523**

**An Act To Strengthen the Laws Governing Mandatory Reporting of Child Abuse or Neglect**

**PUBLIC 268**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MALABY	OTP-AM	H-388

This bill adds specific categories of injury for which mandatory reporting of child abuse or neglect is required for children who are under six months of age or otherwise nonambulatory. The bill makes any failure to report by a mandated reporter a Class E crime. The bill requires a person in the professional categories required to report suspected child abuse or neglect to have completed mandated reporter training within the previous five years before a professional license or certification may be issued or renewed. The bill also permits the Commissioner of Health and Human Services to revoke the license of a youth camp if an officer or agent of the camp fails to make a required report.

**Committee Amendment "A" (H-388)**

This amendment removes from the bill the training requirement for mandated reporters. It removes "failure to thrive" from the list of required reportable circumstances. It removes the provision that makes failure to report a Class E crime and the provision that permits the Commissioner of Health and Human Services to revoke a youth camp license for failure to report suspected child abuse or neglect.

**Enacted Law Summary**

Public Law 2013, chapter 268 adds specific categories of injury for which mandatory reporting of child abuse or neglect is required for children who are under six months of age or otherwise non-ambulatory.

**LD 1536**

**An Act To Correct Errors and Inconsistencies in the Laws of Maine**

**PUBLIC 424  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-566 H-576 PRIEST H-569 PRIEST H-570 PRIEST H-571 PRIEST H-572 PRIEST H-573 PRIEST H-574 PRIEST H-577 PRIEST H-578 PRIEST S-369 VALENTINO

PART A corrects technical errors and omissions throughout the laws of Maine.

Part B, Part C and Part D correct conflicts, cross-references and other technical errors related to the reorganization of the Departments of Agriculture and Conservation.

**Committee Amendment "A" (H-566)**

This amendment strikes out 15 sections from Part A of the bill. This amendment strikes Parts B, C and D from the bill because the corrections are correctly addressed in Legislative Document 837, "An Act To Clarify the Laws