

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

**STATE OF MAINE**  
127<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON JUDICIARY**

August 2015

**STAFF:**

MARGARET J. REINSCH, SENIOR LEGISLATIVE ANALYST  
HENRY FOUTS, LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670

**MEMBERS:**

SEN. DAVID C. BURNS, CHAIR  
SEN. AMY F. VOLK  
SEN. CHRISTOPHER K. JOHNSON

REP. BARRY J. HOBBS, CHAIR  
REP. KIMBERLY J. MONAGHAN  
REP. MATTHEW W. MOONEN  
REP. JOYCE MCCREIGHT  
REP. CHARLOTTE WARREN  
REP. STACEY K. GUERIN  
REP. ROGER L. SHERMAN  
REP. PHYLLIS A. GINZLER  
REP. LLOYD C. HERRICK  
REP. JEFFREY EVANGELOS  
REP. WAYNE T. MITCHELL

# STATE OF MAINE

127<sup>TH</sup> 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 127<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. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

<i>CARRIED OVER</i> .....	<i>carried over to a subsequent session of the Legislature</i>
<i>CON RES XXX</i> .....	<i>chapter # of constitutional resolution passed by both houses</i>
<i>CONF CMTE UNABLE TO AGREE</i> .....	<i>Committee of Conference unable to agree; legislation died</i>
<i>DIED BETWEEN HOUSES</i> .....	<i>House &amp; Senate disagreed; legislation died</i>
<i>DIED IN CONCURRENCE</i> .....	<i>defeated in each house, but on different motions; legislation died</i>
<i>DIED ON ADJOURNMENT</i> .....	<i>action incomplete when session ended; legislation died</i>
<i>EMERGENCY</i> .....	<i>enacted law takes effect sooner than 90 days after session adjournment</i>
<i>FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE</i> .....	<i>emergency failed to receive required 2/3 vote</i>
<i>FAILED, ENACTMENT or FINAL PASSAGE</i> .....	<i>failed to receive final majority vote</i>
<i>FAILED, MANDATE ENACTMENT</i> .....	<i>legislation proposing local mandate failed required 2/3 vote</i>
<i>HELD BY GOVERNOR</i> .....	<i>Governor has not signed; final disposition to be determined at subsequent session</i>
<i>LEAVE TO WITHDRAW</i> .....	<i>sponsor's request to withdraw legislation granted</i>
<i>NOT PROPERLY BEFORE THE BODY</i> .....	<i>ruled out of order by the presiding officer; legislation died</i>
<i>INDEF PP</i> .....	<i>indefinitely postponed; legislation died</i>
<i>ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X</i> ....	<i>ought-not-to-pass report accepted; legislation died</i>
<i>P&amp;S XXX</i> .....	<i>chapter # of enacted private &amp; special law</i>
<i>PUBLIC XXX</i> .....	<i>chapter # of enacted public law</i>
<i>RESOLVE XXX</i> .....	<i>chapter # of finally passed resolve</i>
<i>VETO SUSTAINED</i> .....	<i>Legislature failed to override Governor's veto</i>

The effective date for non-emergency legislation enacted in the First Regular Session of the 127<sup>th</sup> Legislature is October 15, 2015. 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*

including health, dental and life insurance. The same proposed increases were included in the Governor's original Biennial Budget.

**LD 735**      **An Act To Establish a Voluntary Preforeclosure Mediation Program**      **ONTP**

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

This bill provides Maine consumers with an opportunity to avoid home mortgage foreclosure by participating in mediation at an early stage of default before foreclosure has commenced. A mortgagee may request a mortgagor to participate in preforeclosure mediation if the property subject to the mortgage is owner-occupied residential property of four or fewer units, and the mortgage payment is at least 35 days late. A mortgagor who participates or who fails or refuses to participate in the preforeclosure mediation program when requested to do so is not entitled to participate in the existing foreclosure mediation program. Current law provides for foreclosure mediation only after a foreclosure has been filed in court.

**LD 756**      **An Act To Enhance the Address Confidentiality Program Regarding Property Records**      **PUBLIC 313**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNPHY M JOHNSON	OTP-AM	H-472

This bill amends the Address Confidentiality Program statute to make clear that the protected address of a certified program participant in the possession of a state or local government agency or court that has been authorized to use it for bona fide statutory, administrative or law enforcement purposes otherwise remains confidential and must be kept under seal and excluded from inspection by the public.

The bill amends the laws governing the registry of deeds and assessment of property taxes to provide address confidentiality protection to participants in the program upon request. In the registry of deeds, a program participant's Address Confidentiality Program identification number rather than name must be used in the record on the registry's publicly accessible website. A municipal assessor must include the identification number rather than the program participant's name in the assessment.

**Committee Amendment "A" (H-472)**

This amendment removes a provision in the bill regarding the obligations of all government agencies and courts with regard to participants in the Address Confidentiality Program.

This amendment removes a provision in the bill authorizing the use of an Address Confidentiality Program participant's identification number in lieu of the participant's name on documents filed with the register of deeds.

The amendment adds a provision to the tax laws allowing an Address Confidentiality Program participant to request that the municipal assessor redact the participant's name on the declaration of value form on file at the municipal office prior to disclosure.

**Enacted Law Summary**

Public Law 2015, chapter 313 amends the Address Confidentiality Program to clarify when the address or mailing address may be released to law enforcement or other governmental entities. It also adds a provision to the tax laws allowing an Address Confidentiality Program participant to request that the municipal assessor redact the