

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH LEGISLATURE
FIRST REGULAR SESSION



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

JOINT STANDING COMMITTEE ON JUDICIARY

August 2015

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127TH 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 127th 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 & 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&S XXX</i>	<i>chapter # of enacted private & 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 127th 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

LD 1322

An Act To Implement the Recommendations of the Probate and Trust Law Advisory Commission Concerning the Probate Code

CARRIED OVER

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

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to implement the recommendations of the Probate and Trust Law Advisory Commission concerning the Probate Code pursuant to Resolve 2013, chapter 5 and chapter 82.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

LD 1330

An Act To Enhance Efficiency in the Collection of Child Support Obligations

PUBLIC 186

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANDERSON BRAKEY	OTP-AM	H-361

This bill amends laws concerning the collection of child support obligations. It removes from the duration of an order to seek work the provision "or until the obligor finds work." It changes the time frame in which a primary care provider of a child is deemed to be unavailable for employment from three years to the first six months of the child's life. It allows, when appropriate, an adjustment of child support obligations for a child in the party's household other than the child for whom a support order is being sought, even if that adjustment results in a reduction of a previously established award. It repeals the automatic suspension of the child support obligation of assisted obligors, and it corrects an inconsistency in amounts withheld from an obligor's withholding from \$2 per week to \$2 per pay period.

Committee Amendment "A" (H-361)

This amendment changes the time frame in which a primary care provider of a child is deemed to be unavailable for employment for the purposes of the laws governing the collection of child support obligations from three years to the first 24 months of the child's life.

This amendment also removes the requirement that the Department of Health and Human Services include blank forms for modification along with the notice that the child support obligation is suspended while the obligor is receiving public assistance. These forms are available online, and upon request, and are used by very few recipients of the notice. Elimination of this requirement will save close to \$3,000 per year in printing and mailing costs to the department.

Enacted Law Summary

Public Law 2015, chapter 186 amends laws concerning the collection of child support obligations as follows.

1. It removes from the duration of an order to seek work the provision "or until the obligor finds work."
2. It changes the time frame in which a primary care provider of a child is deemed to be unavailable for employment from three years to the first 24 months of the child's life.
3. It allows, when appropriate, an adjustment of child support obligations for a child in the party's household other