

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
128TH LEGISLATURE
FIRST REGULAR SESSION



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

JOINT STANDING COMMITTEE ON JUDICIARY

August 2017

MEMBERS:

SEN. LISA KEIM, CHAIR
SEN. RODNEY L. WHITTEMORE
SEN. DAWN HILL

REP. MATTHEW W. MOONEN, CHAIR
REP. JOYCE MCCREIGHT
REP. CHRISTOPHER W. BABBIDGE
REP. DONNA BAILEY
REP. BARBARA A. CARDONE
REP. LOIS GALGAY RECKITT
REP. STACEY K. GUERIN
REP. ROGER L. SHERMAN
REP. RICHARD T. BRADSTREET
REP. CHRIS A. JOHANSEN

STAFF:

MARGARET J. REINSCH, SENIOR LEGISLATIVE ANALYST
JANET STOCCO, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670
<http://legislature.maine.gov/legis/opla/>

STATE OF MAINE

128TH 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 128th 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.

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 128th Legislature is Wednesday, November 1, 2017. 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 81 An Act Regarding the Payment of Back Child Support

PUBLIC 102

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DIAMOND B ORDWAY L	OTP-AM	S-75

This bill removes the presumption that a child support order has been paid after 20 years and clarifies that the equitable defense of laches is unavailable in actions to enforce a child support judgment or agreement.

Committee Amendment "A" (S-75)

This amendment clarifies that a child support order entered either by a court or by an administrative agency is not presumed to have been paid after 20 years. This amendment also removes the section of the bill that states that the equitable defense of laches is unavailable in actions to enforce a child support judgment, which is unnecessary given the Law Court's decision in *Brochu v. McLeod*, 2016 ME 146, 148 A.3d 1220.

Enacted Law Summary

Public Law 2017, chapter 102 removes the presumption that a child support order entered by a court or an administrative agency has been paid after 20 years.

LD 111 An Act To Establish an Additional Veterans Treatment Court

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHEATS B LIBBY N	OTP-AM OTP-AM	H-331 H-488 GUERIN S

This bill directs the Chief Justice of the Supreme Judicial Court to establish a veterans treatment court in Androscoggin County.

Committee Amendment "A" (H-331)

This amendment is the majority report. It replaces the bill and relies on the enabling language already in statute for the Chief Justice of the Supreme Judicial Court to establish veterans treatment courts where appropriate and provides the funding for the courts as well as for the services to be provided.

Committee Amendment "B" (H-332)

This amendment is the minority report. It is the same as the majority report except that it provides the funding for the courts as well as for the services to be provided for the 2018-2019 biennium only.

This amendment was not adopted.

House Amendment "B" To Committee Amendment "A" (H-488)

This amendment strikes the ongoing funding for a veterans treatment court and instead provides funding for the next two biennia only.

House Amendment "A" To Committee Amendment "A" (H-470)

This amendment strikes the ongoing funding for a veterans treatment court and instead provides funding for the next two biennia only.