

MAINE STATE LEGISLATURE

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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

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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 581 **An Act To Require Notification When a Temporary Protection from Abuse Order Is Rescinded** **ONTP**

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

This bill specifies the method a court is required to use to notify a plaintiff, a defendant and the relevant law enforcement agency or correctional facility that a temporary protection from abuse order has been modified or dissolved by the court.

LD 610 **An Act To Prohibit Prescriptive Property Rights Claims of Property Owned by Nonprofit Organizations** **Accepted Majority (ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HANLEY J CYRWAY S	ONTP OTP	

This bill prohibits the acquisition of title to real estate or any interest in real estate against any nonprofit organization organized in this State by adverse possession, however exclusive or long continued.

LD 611 **An Act To Amend Certain Laws Affecting the Judicial Branch** **PUBLIC 223**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MOONEN M KATZ R	OTP-AM	H-292

This bill amends the definition of "qualified legal interpreter" in the laws governing communication services for deaf persons, hard-of-hearing persons and late-deafened persons in court. The bill prohibits discrimination on account of sexual orientation in jury selection. The bill amends the requirements for record keeping for briefs filed in the Supreme Judicial Court. It requires the preservation of briefs in all cases decided, permits the transfer of the briefs in electronic format and requires the clerk of the Supreme Judicial Court to provide complete sets of the briefs to the law library of Cumberland County and to the Law and Legislative Reference Library instead of the law library of Penobscot County.

Committee Amendment "A" (H-292)

This amendment deletes a grammatical correction.

Enacted Law Summary

Public Law 2017, chapter 223 amends the definition of "qualified legal interpreter" in the laws governing communication services for deaf persons, hard-of-hearing persons and late-deafened persons in court to include in the definition a person who possesses qualifications, certifications or credentials to interpret in court proceedings as established by the Supreme Judicial Court. It prohibits discrimination on account of sexual orientation in jury selection, and amends the requirements for record keeping for briefs filed in the Supreme Judicial Court. It requires the preservation of briefs in all cases decided, permits the transfer of the briefs in electronic format and requires the clerk of the Supreme Judicial Court to provide complete sets of the briefs to the law library of Cumberland County and to the Law and Legislative Reference Library instead of the law library of Penobscot County.