

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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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

authority to enable the agent to access the content of an electronic communication to be consistent with the grant of express authority required by Section 9 of the Revised Uniform Fiduciary Access to Digital Assets Act, included in this bill as the Maine Revised Statutes, Title 18-A, section 10-109.

Part C provides that the provisions of this bill take effect January 1, 2018.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

LD 847 **An Act To Hold Refugee Resettlement Agencies Accountable to Maine People** **Accepted Majority (ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LOCKMAN L DAVIS P	ONTP OTP-AM	

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

This bill proposes to amend the laws governing the tax status of refugee resettlement agencies that refuse to consult with state and local governments or that otherwise disregard the concerns of state and local governments and to make refugee resettlement agencies liable for acts of terrorism committed by refugees placed by those agencies in this State.

Committee Amendment "A" (H-413)

This amendment is the minority report of the committee. It replaces the bill, which is a concept draft.

The amendment establishes the Responsible Refugee Resettlement Act.

The Act prohibits the State and local governments from participating in the federal refugee resettlement program as created by the United States Congress pursuant to the Refugee Act of 1980, Public Law 96-212.

Under the Act, any nongovernmental entity that provides refugee resettlement services after January 1, 2018 may be held liable in a civil action if it resettles a refugee who subsequently commits an act of terrorism in this State and the entity knew or should have known that the act of terrorism was likely or imminent.

Under the Act, a nongovernmental entity that provides refugee resettlement services must certify that certain requirements are met in order to maintain eligibility for state or local tax exemptions.

Under the Act, a nongovernmental entity that provides refugee resettlement services must submit an annual report to the Governor and the Legislature that includes specific information about the refugees, refugee demographics and plans for the following year.

The Commissioner of Health and Human Services must adopt routine technical rules to carry out the Act.

The Act takes effect January 1, 2018.

This amendment was not adopted.