

MAINE STATE LEGISLATURE

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STATE OF MAINE
128TH LEGISLATURE
FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



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

JOINT STANDING COMMITTEE ON JUDICIARY

October 2018

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STATE OF MAINE
128TH LEGISLATURE
FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



**LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS**

This *Legislative Digest of Bill Summaries and Enacted Laws* contain summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Special, Second Regular and Second Special Sessions 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 dates for non-emergency legislation enacted in the First Special, Second Regular or Second Special Sessions of the 128th Legislature are: Monday, February 5, 2018; Wednesday, August 1, 2018; and Thursday, December 13, 2018, respectively. 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

Committee Amendment "A" (H-532)

This amendment adds a sunset to the bill of October 1, 2021, thus prohibiting driver's license suspensions for failure to pay a fine in offenses not related to driving until October 1, 2021, and allowing two full fiscal years of information about the fiscal effect of eliminating driver's license suspension as a tool to collect fines. Without further legislative action, the law in effect prior to this Act takes effect on October 1, 2021, reinstating the ability of the court to suspend driver's licenses for nonpayment of fines.

House Amendment "A" To Committee Amendment "A" (H-550)

The bill eliminates the ability of the court to suspend a person's driver's license for failure to pay a court-ordered fine for an offense not related to driving. This amendment amends the committee amendment to give the court the option of restricting a person's driver's license to work, work-search or education purposes if the person has the ability to pay a fine and fails to do so.

Enacted Law Summary

Public Law 2017, chapter 462 provides that driver's licenses may not be suspended for failure to pay a fine in offenses not related to driving. Chapter 462 provides that the statutory exemptions from attachment and execution for certain property apply to the enforcement of fines owed to the State. Chapter 462 includes a sunset of October 1, 2021, thus prohibiting driver's license suspensions for failure to pay a fine in offenses not related to driving until October 1, 2021. Without further legislative action, the law in effect prior to this Act takes effect on October 1, 2021, reinstating the ability of the court to suspend driver's licenses for nonpayment of fines. Chapter 462 gives the court the option of restricting a person's driver's license to work, work-search or education purposes if the person has the ability to pay a fine and fails to do so.

LD 1267

An Act To Protect Licensing Information of Medical Professionals

Veto Sustained

Sponsor(s)

KATZ R
TUELL W

Committee Report

OTP-AM

Amendments Adopted

S-424

This bill was carried over from the First Regular Session to the Second Regular Session of the 128th Legislature.

This bill provides that information concerning the application for and granting of licenses issued by the State Board of Nursing, the Board of Osteopathic Licensure and the Board of Licensure in Medicine is confidential, except that each board is required to allow inspection of certain information.

Committee Amendment "A" (S-424)

This amendment replaces the bill. This amendment allows applicants and licensees of the State Board of Nursing, the Board of Osteopathic Licensure and the Board of Licensure in Medicine to review their own redacted licensing files before the respective board makes the file available for inspection or copying after the licensing file has been requested. The applicant or licensee has 10 business days from when the file is sent to stop the release of the redacted licensing file by filing an action in Superior Court to enjoin the release of the file because making the redacted file available to the public creates a potential risk to the personal safety of the applicant or licensee or any third party.