

MAINE STATE LEGISLATURE

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STATE OF MAINE
129TH LEGISLATURE
FIRST REGULAR SESSION



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

JOINT STANDING COMMITTEE ON JUDICIARY

August 2019

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STAFF:

MARGARET J. REINSCH, SENIOR 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

129TH 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 129th 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 129th Legislature is Thursday, September 19, 2019. 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 214 An Act To Increase Funding for Civil Legal Services

PUBLIC 509

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARDONE B CARPENTER M	OTP-AM ONTP	H-316 S-370 BREEN C

This bill is a concept draft pursuant to Joint Rule 208. It proposes to increase funding for civil legal services.

Committee Amendment "A" (H-316)

This amendment, the majority report, replaces the bill. The amendment improves funding for civil legal services by providing an appropriation from the General Fund to be distributed through the existing procedures of the Civil Legal Services Fund Commission. The amendment clarifies the qualifications for providers to be eligible for funding.

Senate Amendment "A" To Committee Amendment "A" (S-370)

This amendment amends Committee Amendment "A" by replacing the \$5,000,000 General Fund appropriation in the committee amendment with Other Special Revenue Funds allocations of \$715,010 in fiscal year 2019-20 and \$953,346 in fiscal year 2020-21 as a result of increasing the percentage of judicial fees allocated to the Maine Civil Legal Services Fund and from revenues collected from a filing fee surcharge to be deposited in the Maine Civil Legal Services Fund.

Enacted Law Summary

Public Law 2019, chapter 509, provides Other Special Revenue Funds allocations of \$715,010 in fiscal year 2019-20 and \$953,346 in fiscal year 2020-21 as a result of increasing the percentage of judicial fees allocated to the Maine Civil Legal Services Fund and from revenues collected from a filing fee surcharge to be deposited in the Maine Civil Legal Services Fund.

LD 229 An Act To Increase the Safety of Home Buyers Concerning Chimney Inspections

PUBLIC 37

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STEARNS P	OTP-AM	H-44

This bill requires that, in conveyances of residential real property, if the chimneys and vents of the property have not been inspected, the seller's disclosure to the buyer must state that the seller is making no representation as to the inspection or safety of the chimneys or vents and any inspector commissioned by the buyer must provide the buyer with a report stating that the inspection does not include the condition or safety of chimneys or vents on the property.

Committee Amendment "A" (H-44)

This amendment replaces the bill to require that the residential real property disclosure include the date of the most recent inspection of the chimneys and vents for the system or source that is used to supply heat to the property. The amendment does not impose any inspection requirements.

Enacted Law Summary

Public Law 2019, chapter 37, requires that the residential real property disclosure include the date of the most recent inspection of the chimneys and vents for the system or source that is used to supply heat to the property.

Joint Standing Committee on Judiciary

Chapter 37 does not impose any inspection requirements.

LD 250 An Act To Establish the Statute of Limitations in Product Liability Cases ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS P	ONTP	

This bill extends the statute of limitations for product liability actions from six to 15 years.

LD 251 An Act To Amend the Maine Condominium Act by Extending the Lien Period for Nonpayment of Assessments PUBLIC 3

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FOLEY R	OTP	

This bill extends the lien period for nonpayment of assessments under the Maine Condominium Act from five years to six years.

Enacted Law Summary

Public Law 2019, chapter 3, extends the lien period for nonpayment of assessments under the Maine Condominium Act from five years to six years.

LD 279 An Act To Raise Juror Pay to \$50 per Day CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS P	OTP-AM	S-24
PERRY A	OTP-AM	

This bill increases a juror's daily compensation rate from \$15 to \$50.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

Committee Amendment "A" (S-24)

This amendment, which is the majority report, adds an appropriation and allocations section and incorporates a fiscal note.

This amendment was adopted by the House and Senate before the bill was carried over on the Special Appropriations Table.

Committee Amendment "B" (S-25)

This amendment, which is the minority report, changes the increased juror compensation amount in the bill to \$25 per day. The amendment also adds an appropriations and allocations section.

This amendment was not adopted.