

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
129<sup>TH</sup> 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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# STATE OF MAINE

129<sup>TH</sup> 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 129<sup>th</sup> 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 129<sup>th</sup> 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*

the exceptions to the definition of public record in the Freedom of Access Act.

**LD 870**

**An Act To Change the Membership of the Maine Commission on Domestic and Sexual Abuse To Include More Tribal Members**

**PUBLIC 188**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STOVER H CLAXTON N	OTP	

This bill changes the membership of the Maine Commission on Domestic and Sexual Abuse by:

1. Reducing the representation of the statewide coalition of domestic violence projects from two members to one member;
2. Reducing the representation of the statewide coalition of sexual assault centers from two members to one member;
3. Allowing the member who is a chief of a municipal police department to appoint a designee to serve on the commission;
4. Allowing the member who is a county sheriff to appoint a designee to serve on the commission;
5. Correcting the description of a member from the statewide coordinator of a statewide coalition to end domestic violence to the executive director of a statewide coalition to end domestic violence;
6. Reducing the number of at-large members from six to four; and
7. Adding four new members, all of whom are appointed by the Governor, one of whom is an executive director of a tribal coalition against sexual assault and domestic violence, one of whom is chief of a tribal police department or the chief's designee, one of whom is a representative of a tribal court and one of whom is a representative of tribal government.

**Enacted Law Summary**

Public Law 2019, chapter 188 changes the membership of the Maine Commission on Domestic and Sexual Abuse by:

1. Reducing the representation of the statewide coalition of domestic violence projects from two members to one member;
2. Reducing the representation of the statewide coalition of sexual assault centers from two members to one member;
3. Allowing the member who is a chief of a municipal police department to appoint a designee to serve on the commission;
4. Allowing the member who is a county sheriff to appoint a designee to serve on the commission;
5. Correcting the description of a member from the statewide coordinator of a statewide coalition to end domestic violence to the executive director of a statewide coalition to end domestic violence;
6. Reducing the number of at-large members from six to four; and
7. Adding four new members, all of whom are appointed by the Governor, one of whom is an executive director of

## Joint Standing Committee on Judiciary

a tribal coalition against sexual assault and domestic violence, one of whom is chief of a tribal police department or the chief's designee, one of whom is a representative of a tribal court and one of whom is a representative of tribal government.

### **LD 894 An Act To Expressly Allow Nonprofit Corporations To Conduct Electronic Voting**

**PUBLIC 200**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRATWICK G PICKETT R	OTP	

This bill specifically permits a nonprofit corporation to authorize in its bylaws the conduct of elections or voting, or both, through electronic transmission.

#### **Enacted Law Summary**

Public Law 2019, chapter 200, specifically permits a nonprofit corporation to authorize in its bylaws the conduct of elections or voting, or both, through electronic transmission.

### **LD 907 An Act To Ensure That Defendants in Foreclosure Proceedings Receive Proper Notification**

**PUBLIC 361**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAUGHTRY M	OTP-AM	H-543

This bill requires a mortgagee to send a mortgagor in a foreclosure action the right to cure notice by both certified mail, return receipt requested, and ordinary mail.

The time the notice is given to the mortgagor or cosigner is the sooner of:

1. The date the mortgagor or cosigner signs the receipt or, if the notice is undeliverable, the date the post office last attempts to deliver it, under the Maine Revised Statutes, Title 14, section 6111, subsection 3, paragraph A; and
2. The date the mortgagor or cosigner receives the notice under Title 14, section 6111, subsection 3, paragraph B. A post office department certificate of mailing to the mortgagor or cosigner is conclusive proof of receipt on the 7th calendar day after mailing when notice is provided under Title 14, section 6111, subsection 3, paragraph B.

#### **Committee Amendment "A" (H-543)**

This amendment restructures the subsection governing notice by a mortgagee to clarify that the date of notice is the date of the delivery or attempted delivery of the notice by certified mail or the date of receipt by ordinary first-class mail, whichever is sooner.

#### **Enacted Law Summary**

Public Law 2019, chapter 361, requires a mortgagee to send a mortgagor in a foreclosure action the right to cure notice by both certified mail, return receipt requested, and ordinary mail.

The time the notice is given to the mortgagor or cosigner is the date of the delivery or attempted delivery of the notice by certified mail or the date of receipt by ordinary first-class mail, whichever is sooner.