

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

MEMBERS:

SEN. MICHAEL E. CARPENTER, CHAIR
SEN. SHENNA BELLOWS
SEN. LISA M. KEIM

REP. DONNA BAILEY, CHAIR
REP. CHRISTOPHER BABBIDGE
REP. BARBARA A. CARDONE
REP. LOIS GALGAY RECKITT
REP. RACHEL TALBOT ROSS
REP. THOM HARNETT
REP. DAVID G. HAGGAN
REP. PHILIP CURTIS
REP. JOHN DEVEAU
REP. JEFFREY EVANGELOS

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
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 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 1483 An Act To Clarify the Disposition of Funds Presumed Abandoned in a Lawyer's Trust Account

PUBLIC 496

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARDONE B BELLOWS S	OTP-AM OTP ONTP	H-575

This bill clarifies that funds presumed abandoned under the Uniform Unclaimed Property Act in a lawyer's trust account for which identifying client information can be found must be delivered to the Treasurer of State. It provides that funds presumed abandoned in a lawyer's trust account for which no identifying client information can be found must be transferred to the lawyer's trust account program manager to be used to provide funding to organizations whose primary purpose is to provide civil legal aid to low-income residents of the State.

Committee Amendment "A" (H-575)

This amendment, which is the majority report, provides that unclaimed funds, submitted by attorneys and banks from IOLTA accounts, that are currently held as unclaimed property without identifying client information be transferred by the Treasurer of State to the lawyer's trust account program manager.

Enacted Law Summary

Public Law 2019, chapter 496, clarifies that funds presumed abandoned under the Uniform Unclaimed Property Act in a lawyer's trust account for which identifying client information can be found must be delivered to the Treasurer of State. It provides that funds presumed abandoned in a lawyer's trust account for which no identifying client information can be found must be transferred to the lawyer's trust account program manager to be used to provide funding to organizations whose primary purpose is to provide civil legal aid to low-income residents of the State. Chapter 496 provides that unclaimed funds, submitted by attorneys and banks from IOLTA accounts, that are currently held as unclaimed property and not identified as belonging to anyone be transferred by the Treasurer of State to the lawyer's trust account program manager.

LD 1490 An Act To Enhance Tribal-State Collaboration in the Enforcement of Child Support

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TALBOT ROSS R		

The purpose of this bill is to establish legal authority to allow federally recognized Indian tribes in the State to use the same legal tools that are currently available to the State to compel noncustodial parents to assist in the support of their children.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1503 An Act To Establish the Maine False Claims Act

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARPENTER M	ONTP	