

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
129<sup>TH</sup> LEGISLATURE  
FIRST SPECIAL AND SECOND REGULAR SESSIONS



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

**JOINT STANDING COMMITTEE ON JUDICIARY**

November 2020

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# STATE OF MAINE

129<sup>TH</sup> 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 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*

**LD 1864    An Act To Correct the Maine Revised Unclaimed Property Act to Reflect Recent Changes**

**PUBLIC 571  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARDONE B	OTP ONTP	

This bill amends the Maine Revised Unclaimed Property Act to clarify the procedure for disposing of funds presumed abandoned in a lawyer's trust account.

**Enacted Law Summary**

Public Law 2019, chapter 571 amends the Maine Revised Unclaimed Property Act to clarify the procedure for disposing of funds presumed abandoned in a lawyer's trust account. This makes permanent the changes made in the First Regular Session by LD 1483, Public Law 2019, chapter 496 that were inadvertently repealed by the enactment of Public Law 2019, chapter 498.

Public Law 2019, chapter 571 was enacted as an emergency measure effective February 27, 2020.

**LD 1865    An Act To Amend the Protection from Abuse Laws Concerning Consent Agreements**

**PUBLIC 574**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BAILEY D	OTP-AM	H-674

This bill amends the protection from abuse laws to provide that parties are not precluded from voluntarily requesting a consent agreement without a finding by the court that the alleged conduct described in the Maine Revised Statutes, Title 19-A, section 4005, subsection 1 occurred.

**Committee Amendment "A" (H-674)**

This amendment clarifies that a court may grant a protection from abuse order without holding a hearing if the parties have voluntarily requested a consent agreement. The court may enter the protective order based on the consent agreement with or without a finding that the defendant engaged in abuse. If the protection from abuse order is granted to stop alleged conduct described in the Maine Revised Statutes, Title 19-A, section 4005, subsection 1, it may be granted with or without a finding that the alleged conduct occurred. Current law is silent on the issue of a protection from abuse order when the parties request a consent agreement based on alleged conduct, as opposed to abuse.

**Enacted Law Summary**

Public Law 2019, chapter 574 provides that a court may grant a protection from abuse order without holding a hearing if the parties have voluntarily requested a consent agreement. The court may enter the protective order based on the consent agreement with or without a finding that the defendant engaged in abuse. If the protection from abuse order is granted to stop alleged conduct described in the Maine Revised Statutes, Title 19-A, section 4005, subsection 1, it may be granted with or without a finding that the alleged conduct occurred.