

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 scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

**STATE OF MAINE
115TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
JUDICIARY**

AUGUST 1991

Staff:
Margaret J. Reinsch, Legislative Analyst

*Office of Policy and Legal Analysis
Room 101, State House Station 13
Augusta, ME 04333
(207) 289-1670*

MEMBERS:

**Sen. N. Paul Gauvreau
Sen. Georgette B. Berube
Sen. Muriel D. Holloway*

**Rep. Patrick E. Paradis
Rep. Constance D. Cote
Rep. Patricia M. Stevens
Rep. Cushman D. Anthony
Rep. Susan Farnsworth
Rep. Mary R. Cathcart
Rep. Andrew Ketterer
Rep. Dana C. Hanley
Rep. John H. Richards
Rep. David N. Ott*

**Denotes Chair*

MARTHA E. FREEMAN, DIRECTOR
WILLIAM T. GLIDDEN, JR., PRINCIPAL ANALYST
ULIE S. JONES, PRINCIPAL ANALYST
DAVID C. ELLIOTT, PRINCIPAL ANALYST
RON CLARK
RYAN M. DYTTER
BRO FLATEBO
DEBORAH C. FRIEDMAN
MICHAEL D. HIGGINS
KANE ORBETON



KAREN L. HRUBY
JILL IPPOLITI
JOHN B. KNOX
PATRICK NORTON
MARGARET J. REINSCH
PAUL J. SAUCIER
HAVEN WHITESIDE
MILA M. DWELLEY, RES. ASST.
ROY W. LENARDSON, RES. ASST.
BRET A. PRESTON, RES. ASST.

STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107/135
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL.: (207) 289-1670

**ONE HUNDRED AND FIFTEENTH LEGISLATURE
FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION
JOINT STANDING COMMITTEE
BILL SUMMARIES
AUGUST 1991**

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H - 584 or S - 222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

PUBLIC XXX	<i>Chapter # of enacted Public Law</i>
P&S XXX	<i>Chapter # of enacted Private & Special Law</i>
RESOLVE XXX	<i>Chapter # of enacted Resolve</i>
CON RES XXX	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
EMERGENCY	<i>Enacted law takes effect sooner than 90 days</i>
CARRIED OVER	<i>Bill carried over to 2nd Session</i>
FAILED EMERGENCY ENACTMENT	<i>Bill failed to get 2/3 vote</i>
ONTP	<i>Ought Not to Pass report accepted</i>
LVWD	<i>Leave to Withdraw report accepted</i>
INDEF PP	<i>Bill Indefinitely Postponed</i>
DIED BETWEEN BODIES	<i>House & Senate disagree; bill died</i>
VETO SUSTAINED	<i>Legislature failed to override Governor's Veto</i>
UNSIGNED	<i>Not signed by Governor within 10 days</i>
DIED ON ADJOURNMENT	<i>Action incomplete when 1st session ended</i>

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

If you have any suggestions or comments on these summaries, please let us know.

LD 1713 An Act to Safeguard Money Held for Minors

CARRIED OVER

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MITCHELL E GAUVREAU STEVENS P		

SUMMARY

The bill would amend the Maine Uniform Transfers to Minors Act to provide that a court may order funds or property to be held for the minor's benefit past the minor's attainment of majority and through the age of 25 when necessary and in the best interest of the minor.

LD 1716 An Act to Allow Guardians to Hospitalize Wards

LV/WD

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MITCHELL E GAUVREAU COTE	LV/WD	

SUMMARY

The bill would have established a procedure for guardians to hospitalize their wards involuntarily without commitment proceedings in District Court.

LD 1718 An Act to Provide for Administrative Correction of Certain Errors and Inconsistencies in the Maine Revised Statutes and to Establish the Commission to Study Resolution of Conflicting Enactments

**PUBLIC 336
EMERGENCY**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
PARADIS P GAUVREAU HOLLOWAY HANLEY	OTP-AM	H-401

SUMMARY

The bill establishes an administrative mechanism for the correction of technical errors and inconsistencies in the Maine Revised Statutes. Errors such as spelling, history line errors, headnote changes, erroneous cross-references, renumbering of sections and the like can be corrected by the Office of the Revisor of Statutes during the annual update of the statutory data base. Implementation of nomenclature changes authorized by revision clauses can be accomplished at the same time. The bill specifies that administrative corrections are not to be made in doubtful cases, and sets up mechanisms to provide for legislative review and adequate publication and citation of these changes.

The bill also establishes the Commission to Study Resolution of Conflicting Enactments to study whether administrative correction should be extended to resolution of conflicting enactments, and whether a rule of construction for conflicting amendments should be placed in the statutes.

Committee Amendment "A" (H-401) makes a technical correction and eliminates the funded study commission.