

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
118TH LEGISLATURE**

**FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION**

**BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
JUDICIARY**

**JULY 1997**

***MEMBERS:***

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*Sen. Lloyd P. LaFountain III*

*Sen. John W. Benoit*

*Rep. Richard H. Thompson, Chair*

*Rep. Elizabeth Watson*

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**Maine State Legislature**

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**ONE HUNDRED EIGHTEENTH LEGISLATURE  
FIRST REGULAR AND FIRST SPECIAL SESSIONS**

**Summary Of Legislation Before The Joint Standing Committees  
August 1997**

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized alphabetically by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet ([www.state.me.us/legis/opla](http://www.state.me.us/legis/opla)).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

- CARRIED OVER*.....*Bill carried over to Second Regular Session*
- CON RES XXX*.....*Chapter # of Constitutional Resolution passed by both Houses*
- CONF CMTE UNABLE TO AGREE*.....*Committee of Conference unable to agree; bill died*
- DIED BETWEEN BODIES*.....*House & Senate disagree; bill died*
- DIED IN CONCURRENCE*.....*One body accepts ONTP report; the other indefinitely postpones the bill*
- DIED ON ADJOURNMENT*.....*Action incomplete when session ended; bill died*
- EMERGENCY*.....*Enacted law takes effect sooner than 90 days*
- FAILED EMERGENCY ENACTMENT/FINAL PASSAGE*.....*Emergency bill failed to get 2/3 vote*
- FAILED ENACTMENT/FINAL PASSAGE*.....*Bill failed to get majority vote*
- FAILED MANDATE ENACTMENT*.....*Bill imposing local mandate failed to get 2/3 vote*
- INDEF PP*.....*Bill Indefinitely Postponed*
- ONTP*.....*Ought Not To Pass report accepted*
- OTP ND*.....*Committee report Ought To Pass In New Draft*
- OTP ND/NT*.....*Committee report Ought To Pass In New Draft/New Title*
- P&S XXX*.....*Chapter # of enacted Private & Special Law*
- PUBLIC XXX*.....*Chapter # of enacted Public Law*
- RESOLVE XXX*.....*Chapter # of finally passed Resolve*
- UNSIGNED*.....*Bill held by Governor*
- VETO SUSTAINED*.....*Legislature failed to override Governor's Veto*

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

*David E. Boulter, Director*

Offices Located in the State House, Rooms 101/107/135

**LD 494**

**An Act to Change the Time for Appointment of a Visitor or  
Guardian Ad Litem after Appointment of a Temporary  
Conservator or Guardian**

**PUBLIC 35**

<u>Sponsor(s)</u> MILLS		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 494 proposed to require a court to appoint a visitor or guardian ad litem within two days of appointing a temporary guardian or temporary conservator, and to require contact and a report to the court.

***Enacted law summary***

Public Law 1997, chapter 35 requires a court to appoint a visitor or guardian ad litem within two days, excluding weekends and holidays, of appointing a temporary guardian or temporary conservator. Chapter 35 also requires the visitor or guardian ad litem to make a visit and report to the court within 10 days of that person's appointment.

**LD 527**

**An Act to Strengthen the Mandatory Child Abuse Reporting Laws**

**PUBLIC 251**

<u>Sponsor(s)</u> O'BRIEN BUTLAND		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-346
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LD 527 proposed to expand the list of mandatory reporters of suspected child abuse to include commercial film and photographic print processors and clergy members in specific situations. It proposed a definition of "sexual abuse or exploitation" for the purposes of mandatory reporting by commercial film and photographic print processors.

**Committee Amendment "A" (H-346)** proposed to delete the new definition of "sexual abuse or exploitation" because it is not needed. It also proposed to exempt all confidential communications involving clergy from the mandatory child abuse reporting requirements.

***Enacted law summary***

Public Law 1997, chapter 527 includes commercial film and photographic print processors and clergy members as persons required to report suspected child abuse and neglect. Clergy are not required to report information gained through any confidential communications.

**LD 533**

**An Act to Ensure Public Safety and Proper Allocation of Liability  
for Gas Pipelines**

**PUBLIC 222**

<u>Sponsor(s)</u> COWGER TREAT		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-298
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