

MAINE STATE LEGISLATURE

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STATE OF MAINE
118TH LEGISLATURE

SECOND REGULAR SESSION
AND
SECOND SPECIAL SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
JUDICIARY

MAY 1998

MEMBERS:

Sen. Susan W. Longley, Chair

Sen. Lloyd P. LaFountain III

Sen. John W. Benoit

Rep. Richard H. Thompson, Chair

Rep. Elizabeth Watson

Rep. David Etnier

Rep. Joseph M. Jabar, Sr.

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Rep. Richard A. Nass

Rep. G. Paul Waterhouse

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ONE HUNDRED EIGHTEENTH LEGISLATURE
SECOND REGULAR AND SECOND SPECIAL SESSIONS

Summary Of Legislation Before The Joint Standing Committees
May 1998

We are pleased to provide this summary of bills that were considered by the Joint Standing Committees of the Maine Legislature. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. 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 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).

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:

- 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 Second Regular Session (unless otherwise specified in a particular law) is June 30, 1998 and July 9, 1998 for the Second Special Session. Second Special Session laws include Public Laws beginning with Chapter 718, Private and Special Laws beginning with Chapter 82 and Resolves beginning with Chapter 117.

LD 1482

Resolve, to Establish a Plan to Enhance the Enforcement of Civil and Criminal Violations

RESOLVE 103

<u>Sponsor(s)</u> MILLS	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-549
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LD 1482 proposed to expand the jurisdiction of the violations bureau of the District Court to include all civil violations, beginning July 1, 1998.

Committee Amendment "A" (S-549) proposed to replace the bill and create a planning task force to develop a plan to enhance the enforcement of criminal and civil violations and the collection of fines and other charges imposed by a court.

Enacted law summary

Resolve 1997, chapter 103 creates a planning task force to develop a plan to enhance the enforcement of criminal and civil violations and the collection of fines and other charges imposed by a court. The plan will include a central credentialing registry and may include the expansion of the jurisdiction of the District Court Violations Bureau to include all civil violations. The planning task force will consist of the Chief Justice, the Governor, the Secretary of State, the Commissioner of Inland Fisheries and Wildlife, the Commissioner of Marine Resources, the Commissioner of Human Services and the Commissioner Public Safety, or their designees. The planning task force will report back to the Legislature by December 15, 1998.

LD 1583

An Act to Establish the Uniform Anatomical Gift Act

ONTP

<u>Sponsor(s)</u> TAYLOR	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1583 proposed to replace the existing Uniform Anatomical Gift Act with the Uniform Anatomical Gift Act adopted by the National Conference of Commissioners on Uniform State Laws in 1987.

LD 1636

An Act to Make Mediation Mandatory in Medical Malpractice Proceedings

ONTP

<u>Sponsor(s)</u> MILLS	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1636 proposed to repeal the mandatory prelitigation screening panel process for medical malpractice cases and replace that process with a mandatory mediation process.