

MAINE STATE LEGISLATURE

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**STATE OF MAINE
119TH LEGISLATURE**

SECOND REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
JUDICIARY**

JULY 2000

MEMBERS:

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Sen. Sharon Anglin Treat

Sen. John W. Benoit

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ONE HUNDRED NINETEENTH LEGISLATURE
SECOND REGULAR SESSION

Summary Of Legislation Before The Joint Standing Committees
July 2000

We are pleased to provide this summary of bills that were considered by the Joint Standing and Select Committees of the Maine Legislature this past session. 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 and select committees.

The document is organized for convenient reference to information on bills considered by the 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
NOT PROPERLY BEFORE THE BODY..... Ruled out of order by the presiding officers; bill died
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 August 11, 2000.

David E. Boulter, Director
Offices Located in the State House, Rooms 101 & 107

LD 2072

An Act to Clarify Signature Requirements on Certain Legal Documents

PUBLIC 711

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THOMPSON	OTP-AM	H-1048

LD 2072 proposed to state that electronic signatures and electronic records have the same legal force and effect as manual signatures and non-electronic records. It also proposed to make such records and signatures admissible into evidence in legal proceedings.

Committee Amendment "A" (H-1048) proposed to replace the bill. It proposed to specify that electronic signatures, digital signatures and other signatures effected by electronic means are not valid on documents purporting to affect title to real property or on certain types of powers of attorney. This law would apply, regardless of any general law purporting to validate such signatures.

Enacted law summary

Public Law 1999, chapter 711 provides that electronic signatures, digital signatures and other signatures effected by electronic means are not valid on documents purporting to affect title to real property or on a power of attorney, notwithstanding any general law that validates such signatures.

LD 2121

An Act Regarding Regulations and Compensation to Property Owners

ONTP

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

LD 2121 proposed to allow a property owner to seek compensation from a unit of government in Maine when a regulation imposed by that unit of government reduces the fair market value of the property and there is destruction or damage to or trespass upon the property or a loss of the rightful use of the property. Compensation must be equivalent to the loss in value. The bill proposed to provide exceptions to compensation for regulations that protect public health and safety or that produce benefits to the property owner that equal or exceed the loss in value. See also LD 470 and LD 1990.

LD 2178

An Act to Amend the Act to Implement the Maine Indian Claims Settlement Concerning the Houlton Band of Maliseet Indians

ONTP

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

LD 2178 is a concept draft pursuant to Joint Rule 208. It proposed to amend the Act to Implement the Maine Indian Claims Settlement to give the Houlton Band of Maliseet Indians the same status as the Passamaquoddy Tribe and the Penobscot Indian Nation under that Act.