

MAINE STATE LEGISLATURE

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*State Of Maine
121st Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Judiciary*

July 2003

Members:

Sen. Peggy A. Pendleton, Chair

Sen. Mary R. Cathcart

Sen. Chandler E. Woodcock

Rep. William S. Norbert, Chair

Rep. Thomas D. Bull

Rep. Deborah L. Simpson

Rep. Stan Gerzofsky

Rep. Philip R. Bennett, Jr.

Rep. Janet T. Mills

Rep. Roger L. Sherman

Rep. Roderick W. Carr

Rep. Brian M. Duprey

Rep. Joan Bryant-Deschenes

Rep. Donna M. Loring

Staff:

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Maine State Legislature



Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

121st Maine Legislature First Regular Session

Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint 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 committees.

The document is organized for convenient reference to information on bills considered by the committees. It is arranged alphabetically by committee name 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:

<i>CARRIED OVER PURSUANT TO HP 1212</i>	<i>Bills carried over to the 2nd Regular Session</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP-ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PASSED</i>	<i>Joint Order passed in both bodies</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

Please note that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

David C. Elliott, Director
Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Judiciary

LD 1295 **An Act To Enact the Uniform Mediation Act** **CARRIED OVER**

<u>Sponsor(s)</u> MARTIN		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 1295 proposes to enact the Uniform Mediation Act, effective January 1, 2004.

LD 1298 **An Act To Penalize a Person Who is Habitually Late Making Child Support Payments** **PUBLIC 396**

<u>Sponsor(s)</u> MCNEIL DAMON		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-476
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LD 1298 proposed to penalize child support obligors who are habitually late making child support payments.

Committee Amendment "A" (H-476) proposed to amend department-specific language concerning license suspension for failure to pay child support. The term "compliance with a court order of support" would be replaced with "compliance with a support order" and the definition would be revised in the laws within the jurisdictions of the Department of Professional and Financial Regulation, the Department of Marine Resources and the Department of Inland Fisheries and Wildlife to be consistent with the new definition in the child support enforcement laws proposed in the bill.

Enacted Law Summary

Public Law 2003, chapter 396 penalizes child support obligors who are habitually late making child support payments. Under current law, an obligor must be at least 60 days late in making child support payments before the Department of Human Services starts proceedings to revoke driver's licenses, recreational licenses and occupational and professional credentials. Chapter 396 authorizes the department to start those proceedings when a child support obligor is only 30 days late in making child support payments if that obligor has been at least 30 days late in making payments at least twice during the past 24 months.

LD 1306 **An Act Relating to the Use and Disposal of Personal Information by Certain Commercial, Governmental and Other Entities** **ONTP**

<u>Sponsor(s)</u> GOODWIN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1306 proposed to require all government and private entities to destroy records containing personal information in the entity's custody or control that the entity intends to dispose of or no longer retain, except for transferring legally to another entity, government unit or archive or to the individual to whom the records pertain. This bill proposed to provide legal and equitable remedies for the Attorney General or a person aggrieved by a violation of the provisions of this Act.