

MAINE STATE LEGISLATURE

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M
R.S.

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Date: 06-05-07

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JUDICIARY

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STATE OF MAINE

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SENATE

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123RD LEGISLATURE

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FIRST REGULAR SESSION

Minority

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COMMITTEE AMENDMENT "A" to S.P. 60, L.D. 178, Bill, "An Act Regarding the Reporting of Sexual Abuse"

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Amend the bill by striking all of section 1 and inserting the following:

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'Sec. 1. 14 MRSA §752-C, sub-§3 is enacted to read:

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3. Revival of time-barred actions; one-year window. Notwithstanding Public Law 1999, chapter 639, section 2, a claim for damages based upon a sexual act toward a minor that was barred as of August 11, 2000 solely because the applicable statute of limitations had expired is revived. An action may be commenced under this subsection after January 1, 2008 and no later than December 31, 2008. Damages are available only if the plaintiff proves by clear and convincing evidence that the named defendant committed a sexual act toward the plaintiff when the plaintiff was a minor.'

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SUMMARY

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This amendment is the minority report of the Joint Standing Committee on Judiciary.

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This amendment provides a one-year window for the bringing of claims against individuals accused of committing sexual acts against minors if those claims were time-barred as of August 11, 2000, rather than the 2-year window proposed in the bill. The claims may be filed after January 1, 2008 and no later than December 31, 2008. The plaintiff may be awarded damages only if the plaintiff proves by clear and convincing evidence that the named defendant committed a sexual act toward the plaintiff when the plaintiff was a minor.

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FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT



123rd MAINE LEGISLATURE

LD 178

LR 227(02)

An Act Regarding the Reporting of Sexual Abuse

Fiscal Note for Bill as Amended by Committee Amendment "A "

Committee: Judiciary

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund
Minor revenue increase - General Fund

Correctional and Judicial Impact Statements

This bill may increase the number of civil suits filed in the court system.

The collection of additional filing fees may increase General Fund revenue by minor amounts