

MAINE STATE LEGISLATURE

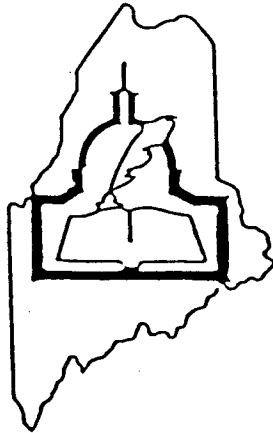
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STATE OF MAINE
ONE HUNDRED AND TWELFTH LEGISLATURE
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE ON
LEGAL AFFAIRS
BILL SUMMARY



MAY 1986

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ONE HUNDRED AND TWELFTH LEGISLATURE
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JOINT STANDING COMMITTEE
BILL SUMMARIES
MAY 1986

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature, covering the Second Regular Session of the 112th Legislature. The summaries are arranged by LD number under each committee.

All Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor if it is a floor amendment or the designation "CA" if it is a committee amendment. If the amendment was adopted in the House, the letter H appears after the sponsor. If it was adopted in the Senate, the letter S appears.

Final action for each bill is listed to the right of the title. If final House action and Senate action differ, both are listed.

Key to Committee Reports and Floor Action:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-AM	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

SUMMARY: Edgar Warren was injured when he was 15 years old in 1941 while a ward of the State. This Resolve waives the Statute of Limitations and gives the State's consent to be sued.

House Amendment "A" (H-610) replaces the original resolve with an appropriation for \$25,000 to be paid to Edgar Warren as a full and final settlement of his claim. (Not enacted)

Committee of Conference Amendment "A" (S-487) replaces the original resolve with an appropriation for \$20,000 to be paid to Edgar Warren as a full and final settlement of his claim.

House Amendment "A" to Committee of Conference Amendment "A" (H-739) reduces the appropriation to \$10,000.

LD AN ACT TO SET STANDARDS FOR CARE IN WHITEWATER LVWD
1976 RAFTING

Sponsor: TRAFTON, Aliberti, Masterman
Committee Report: LVWD

SUMMARY: This bill limits the liability of commercial whitewater outfitters to failure to maintain rafting equipment in a safe and reasonable manner. The bill was withdrawn by the sponsors because the problems it addressed are covered by L.D. 1795, referred to the Judiciary Committee.

LD AN ACT TO AMEND THE MAINE IMPLEMENTING ACT WITH PL 1985
2007 RESPECT TO THE HOULTON BAND OF MALISEET INDIANS c. 672

Sponsor: INGRAHAM
Committee Report: OTP-AM

H-607 CA H S

SUMMARY: The Houlton Band of Maliseet Indians are federally recognized Indians under the Maine Indian Land Claims Settlement Act, United States Code, Title 25, Section 1725(2)(i).

Under Maine law, however, they have not been granted governmental status or exemptions from taxes which have been granted to the Passamaquoddy Tribe and the Penobscot Nation. Two sentences are removed by this bill which prohibit the Maliseets from owning or using any property for governmental purposes, and which state that the Maliseets shall not be deemed to be a governmental entity or have the powers of a municipality.

The Committee Amendment includes the Maliseet Indians in Title 3 to require the Maliseets to appoint a representative who can certify the band's approval of changes to the Maine Implementing Act. The Passamaquoddy Tribe and Penobscot Nation are already included in those sections.

The amendment also adds an effective date section. This Act will not become effective until 3 things happen. The United States Congress must approve the amendments made to the Maine law in 1981, as well as this Act. In addition, the Maliseets must also approve this Act within 60 days of adjournment.

LD AN ACT REGARDING THE INTEGRITY AND IMPARTIALITY LVWD
2012 OF UNDERCOVER POLICE ACTIVITY

Sponsor: BEAULIEU, Clark
Committee Report: LVWD

SUMMARY: This bill prohibits law enforcement officers from receiving payment from nonpublic funds for their undercover activity. It was intended to stop undercover agents from receiving payment for their law enforcement work and from the work they are doing as their "cover." The bill prohibits undercover agents from communicating to 3rd parties any information which does not establish a violation of the criminal law.

LD AN ACT TO CREATE THE MAINE LIQUOR LIABILITY PL 1985
2080 ACT (REPORTED PURSUANT TO A STUDY BY THE LEGAL c. 723
AFFAIRS COMMITTEE)

Sponsor: LEGAL AFFAIRS
Committee Report: OTP-AM

H-635 CA H S
S-452 USHER