

MAINE STATE LEGISLATURE

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STATE OF MAINE
115TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
JUDICIARY

MAY 1992

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**ONE HUNDRED AND FIFTEENTH LEGISLATURE
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

MAY 1992

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. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action on each bill is listed to the far right of the title. Various types of final action are abbreviated as follows:

| | |
|----------------------------|--|
| PUBLIC XXX | Chapter # of enacted Public Law |
| P&S XXX | Chapter # of enacted Private & Special Law |
| RESOLVE XXX | Chapter # of enacted Resolve |
| CON RES XXX | Chapter # of Constitutional Resolution passed by both Houses |
| EMERGENCY | Enacted law takes effect sooner than 90 days |
| CARRIED OVER | Bill carried over to Special Session |
| ONTP | Ought Not to Pass report accepted |
| LVWD | Leave to Withdraw report accepted |
| INDEF PP | Bill Indefinitely Postponed |
| FAILED EMERGENCY ENACTMENT | Emergency bill failed to get 2/3 vote |
| DIED BETWEEN BODIES | House and Senate disagree; bill died |
| CONF CMTE UNABLE TO AGREE | Committee of Conference formed but unable to agree |
| VETO SUSTAINED | Legislature filed to override Governor's Veto |
| UNSIGNED | Not signed by Governor within 10 days |
| DIED ON ADJOURNMENT | Action incomplete when session ended; bill died |

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin, especially Laurette Knox who coordinated preparation of the overall document.

If you have any suggestions or comments on these summaries, please let us know.

LD 2020

An Act to Amend the Distribution of Money and Property Seized in Drug Busts

ONTP

SPONSOR(S)

MELENDY
SIMONDS
MITCHELL E
GRAY

COMMITTEE REPORT

ONTP

AMENDMENTS ADOPTED

SUMMARY

The bill clarifies that the court must provide for the transfer of a percentage share of the forfeited property resulting from unlawful drug activity to the municipality where the activity occurred, if the municipality assisted in the investigation or prosecution of the related criminal activity.

LD 2030

An Act to Clarify the Obligations of Emergency Medical Personnel

ONTP

SPONSOR(S)

CARROLL D
PENDEXTER
PENDLETON

COMMITTEE REPORT

ONTP

AMENDMENTS ADOPTED

SUMMARY

The purpose of the bill was to clarify in the existing law regarding the rights of the terminally ill that emergency medical personnel may rely upon the patient's advance directives such as a living will, a durable medical power of attorney or a do not resuscitate order in treating the patient. Currently, emergency medical services personnel may not honor a valid and legally authorized living will or other advance directives. This results in the emergency medical services attendant performing resuscitative efforts when a competent patient has given clear instructions otherwise.

LD 2031

An Act to Ensure the Retention of Utility Easements in Foreclosure Proceedings

PUBLIC 744

SPONSOR(S)

PARADIS P

COMMITTEE REPORT

OTP-AM

AMENDMENTS ADOPTED

H-1023
H-1055 PARADIS P

SUMMARY

The bill provides that an easement granted to a public utility for the purpose of providing utility service is preserved by the court decree and the subsequent foreclosure sale of the premises.

Committee Amendment "A" (H-1023): The amendment replaces the bill. It clarifies that all public utility easements are included.

House Amendment "A" to Committee Amendment "A" (H-1055): The amendment clarifies that the provisions apply to utility easements that are recorded subsequent to the mortgage but prior to the commencement of the foreclosure proceedings.