

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

**STATE OF MAINE
118TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
JUDICIARY**

JULY 1997

MEMBERS:

Sen. Susan W. Longley, Chair

Sen. Lloyd P. LaFountain III

Sen. John W. Benoit

Rep. Richard H. Thompson, Chair

Rep. Elizabeth Watson

Rep. David Etnier

Rep. Joseph M. Jabar, Sr.

Rep. Richard H. Mailhot

Rep. Judith A. Powers

Rep. Debra D. Plowman

Rep. David R. Madore

Rep. Richard A. Nass

Rep. G. Paul Waterhouse

Staff:

Margaret J. Reinsch, Principal Analyst

Lisa C. Copenhaver, Legislative Analyst

Thomas Eyman, Legislative Analyst

Office of Policy and Legal Analysis

Room 101/107/135, 13 State House Station

Augusta, ME 04333

(207)287-1670



Maine State Legislature
OFFICE OF POLICY AND LEGAL ANALYSIS

13 State House Station, Augusta, Maine 04333-0013
 Telephone: (207) 287-1670
 Fax: (207) 287-1275

ONE HUNDRED EIGHTEENTH LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS

Summary Of Legislation Before The Joint Standing Committees
August 1997

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. 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 handled by the joint standing committees. It is organized alphabetically 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:

<i>CARRIED OVER</i>	<i>Bill carried over to Second 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>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>OTP ND/NT</i>	<i>Committee report Ought To Pass In New Draft/New Title</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</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 the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

David E. Boulter, Director
 Offices Located in the State House, Rooms 101/107/135

Enacted law summary

Private and Special Law 1997, chapter 26 repeals section 2 of the Portland Yacht Club's charter, which currently limits the value of property that may be held. The remaining section of the charter grants all the powers of a nonprofit corporation formed under the Maine Revised Statutes, Title 13-B to the Portland Yacht Club.

LD 693 **An Act to Amend Procedures Relating to Extradition Proceedings** **PUBLIC 181**

<u>Sponsor(s)</u> THOMPSON		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-255
-------------------------------	--	-----------------------------------	--	------------------------------------

LD 693 proposed to require a petitioner to file a petition contesting extradition in District Court, where the application is first docketed, rather than in Superior Court.

Committee Amendment "A" (H-255) proposed technical changes to the Maine Revised Statutes, Title 15, section 210 to make that section consistent with the changes made to section 210-A in the original bill.

Enacted law summary

Public Law 1997, chapter 181 provides for more efficient processing of the extradition of a fugitive from justice by requiring a petitioner to file a petition contesting the extradition in District Court, where the application is first docketed, rather than in Superior Court.

LD 699 **An Act to Clarify the General Powers of Attorney** **PUBLIC 241**

<u>Sponsor(s)</u> CAMPBELL		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-297
-------------------------------	--	-----------------------------------	--	------------------------------------

LD 699 proposed to clarify that a power of attorney that contains a grant of general authority is not limited by the inclusion of specific examples of the authority.

Committee Amendment "A" (H-297) proposed to clarify that a grant of general authority in a power of attorney does not broaden or add to a durable health care power of attorney.

Enacted law summary

Public Law 1997, chapter 241 clarifies that a power of attorney that contains a grant of general authority is not limited by the inclusion of specific examples of authority. Chapter 241 also clarifies that a grant of general authority in a power of attorney does not broaden or add to a durable health care power of attorney.