

# 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](http://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:

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

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

LD 1267

**An Act to Abolish the Judicial Council**

**PUBLIC 134**

Sponsor(s)  
PLOWMAN

Committee Report  
OTP

Amendments Adopted

LD 1267 proposed to abolish the Judicial Council.

***Enacted law summary***

Public Law 1997, chapter 134 abolishes the Judicial Council. The Maine Criminal Justice Sentencing Institute remains in effect, but the appointment process and other authorizations of the institute are supervised by the Chief Justice of the Supreme Judicial Court rather than the Judicial Council.

**LD 1269**

**Resolve, to Foster the Self-governing Powers of Maine's Indian Tribes in a Manner Consistent with Protection of Rights and Resources of the General Public**

**RESOLVE 45**

Sponsor(s)

Committee Report  
OTP-AM

Amendments Adopted  
H-531

LD 1269 comprises the legislative recommendations of the Task Force on Tribal-State Relations, created by Resolve 1995, chapter 84. It proposed to alter the quorum requirement and to establish the Advisory Committee on Tribal-State Relations is created to assist the Maine Indian Tribal-State Commission in its responsibilities by serving as a source of advice to the commission and as a broad forum for the discussion of any issues concerning tribal-state relations, including issues not included in the Act to Implement the Maine Indian Claims Settlement.

**Committee Amendment "A" (H-531)** proposed to replace the bill with a resolve directing the Maine Indian Tribal-State Commission to conduct a study to identify policies, programs or provisions that could be undertaken to foster the social and economic strength of both the State and Maine's tribal communities.

***Enacted law summary***

Resolves 1997, chapter 45 directs the Maine Indian Tribal-State Commission to conduct a study, over the next four years, in consultation with appropriate representatives of affected tribes and agencies of the State, including teachers and local law enforcement, to identify policies, programs or provisions that could be undertaken to foster the social and economic strength of both the State and Maine's tribal communities. The commission must convene an annual Assembly of the Chiefs and the Governors and make periodic reports to the Legislature.