

MAINE STATE LEGISLATURE

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**STATE OF MAINE
118TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
JUDICIARY**

JULY 1997

MEMBERS:

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Sen. Lloyd P. LaFountain III

Sen. John W. Benoit

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Maine State Legislature

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**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:

- 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 1378

An Act to Amend the Uniform Commercial Code as it Relates to Letters of Credit and Investment Securities

PUBLIC 429

Sponsor(s)
MILLS

Committee Report
OTP-AM

Amendments Adopted
S-309

LD 1378 proposed changes recommended by the National Conference of Commissioners on Uniform State Laws as revisions to the Uniform Commercial Code, Article 5, on letters of credit and Article 8, on investment securities.

Committee Amendment "A" (S-309) proposed to make technical changes, to conform the Maine Revised Statutes, Title 30-A, section 5706, subsection 2 with Part B of the bill and to recognize an alternative means by which municipalities investing in repurchase agreements may acquire an interest in United States Government obligations.

Enacted law summary

Public Law 1997, chapter 429 enacts the revisions to the Uniform Commercial Code, Article 5 (letters of credit) and Article 8 (investment securities) as adopted by the National Conference of Commissioners on Uniform State Laws.

LD 1384

An Act to Reform Procedure in Multiparty Lawsuits

CARRIED OVER

Sponsor(s)
MILLS

Committee Report

Amendments Adopted

LD 1384 proposes to restructure the comparative negligence laws and define how they should apply in cases with multiple defendants. It also proposes to restructure the laws dealing with release of joint tortfeasors when settlement is not reached and clarifies how the judge applies offsets against subsequent verdicts when there have been prejudgment settlements. The bill also proposes to authorize the courts to approve Pierringer release procedures in complex litigation. This bill has been carried over to the Second Regular Session.

LD 1392

An Act to Require the Release of the Results of an HIV Test to a Person Who Has Experienced a Bona Fide Occupational Exposure

PUBLIC 331

Sponsor(s)
WATERHOUSE
CAREY

Committee Report
OTP-AM MAJ
OTP-AM MIN

Amendments Adopted
H-404