

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

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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 1552 **An Act to Amend the Conditions upon Which a Minor May Obtain Emancipation** **DIED BETWEEN BODIES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PLOWMAN	OTP-AM MAJ ONTP MIN	

LD 1552 proposed to amend the procedures for the emancipation of a minor to provide for a preliminary order of emancipation that is effective for 120 days. Ninety days after the preliminary order is issued, the juvenile would have been permitted to petition the court for a final order of emancipation, which would have to be issued if the criteria for emancipation were met.

Committee Amendment "A" (H-640) (Majority Report) proposed to revise the emancipation procedure to require the court to review the juvenile's situation between three and four months after the original emancipation order. If the criteria for emancipation are not being met at the time of the review, the court would have been authorized to rescind the emancipation order and, as in the case of denial of an emancipation petition, would have been authorized to recommend that the Department of Human Services provide services and counseling to the family. The amendment included an appropriation section to fund DHS services. (Not adopted.)

LD 1559 **An Act to Establish the Uniform Unclaimed Property Act** **PUBLIC 508**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TAYLOR CAREY	OTP-AM	H-682 H-733 THOMPSON

LD 1559 proposed to replace the existing Unclaimed Property Act with the Uniform Unclaimed Property Act, adopted by the National Conference of Commissioners on Uniform State Laws in 1995.

Committee Amendment "A" (H-682) proposed to make several changes to the bill to make Maine law consistent with the Uniform Act in almost all respects.

Senate Amendment "A" to Committee Amendment "A" (S-366) proposed to allow only financial organizations, as defined in the bill, to deduct a charge due to dormancy from property that is being held by someone other than the property owner. (Not adopted.)

House Amendment "A" (H-733) proposed to make the new Uniform Unclaimed Property Act effective July 1, 1998.

Enacted law summary

Public Law 1997, chapter 508 enacts the 1995 version of the Uniform Unclaimed Property Act. It is effective July 1, 1998.