

MAINE STATE LEGISLATURE

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**STATE OF MAINE
119TH LEGISLATURE**

FIRST REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
JUDICIARY**

JULY 1999

MEMBERS:

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Sen. Sharon Anglin Treat
Sen. John W. Benoit*

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ONE HUNDRED NINETEENTH LEGISLATURE
FIRST REGULAR SESSION

Summary Of Legislation Before The Joint Standing and Select Committees
August 1999

We are pleased to provide this summary of all bills that were considered by the Joint Standing and Select Committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this session for the Legislature and each of its joint standing and select committees.

The document is organized for convenient reference to information on bills considered by the committees. It is organized 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
ENACTMENT FAILED..... Bill failed to get vote required for enactment or final passage
NOT PROPERLY BEFORE THE BODY..... Ruled out of order by the presiding officers; bill died
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 September 18, 1999.

LD 2245

An Act to Adopt the Model Revised Article 9 Secured Transactions

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THOMPSON LONGLEY		

LD 2245 proposes to enact changes recommended by the National Conference of Commissioners on Uniform State Laws as revisions to the Uniform Commercial Code, Article 9, on secured transactions. This bill was submitted on behalf of the Secretary of State.

This bill has been carried over to the Second Regular Session.

LD 2252

An Act to Make Additional Corrections of Errors and Inconsistencies in the Laws of Maine

**PUBLIC 510
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>

LD 2252 proposed to correct additional errors and inconsistencies, most of which were created during the First Regular Session of the 119th Legislature. (This bill was enacted without reference to committee.)

Enacted law summary

Public Law 1999, chapter 510 corrects additional errors and inconsistencies.

Chapter 510 was enacted as an emergency measure effective June 11, 1999.

LD 2255

An Act to Make Corrections to Laws Recently Enacted by the 119th Legislature

**PUBLIC 531
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN		H-769 S-468 S-469

LD 2255 proposed to make corrections to errors in recently enacted law. (This bill was enacted without reference to committee.)

Senate Amendment "A" (S-468) proposed to correct conflicts created by several public law chapters amending the drug statutes in the Maine Criminal Code.

Senate Amendment "B" (S-469) proposed to correct a conflict created by two public law chapters amending the juvenile detention laws.

Senate Amendment "C" (S-470) proposed to add the substance of L.D. 1878, "An Act to Make More Uniform the Training of Firefighters," which was vetoed by the Governor, and provides for the repeal of the Maine Fire Training and Education Program on June 30, 2001. (Not adopted)

House Amendment "A" (H-769) proposed to add an effective date concerning changes in automobile insurance coverage.

Enacted law summary

Public Law 1999, c. 531 makes the following corrections to errors and conflicts in laws enacted in the First Regular Session of the 119th Legislature.

1. It removes from Public Law 1999, chapter 504, a modification of the definition of "facility owner" for applicants to the Fund Insurance Review Board.
2. It adds an appropriation section to Resolve 1999, chapter 74 to provide funds for the per diem and expenses of legislative members and the expenses of other members of the Task Force to Study the Effect of Government Regulation on Small Businesses.
3. It provides that Public Law 1999, chapter 460, which increased the damages cap of the Maine Tort Claims Act, applies to a claim or cause of action based on an act or omission occurring on or after the effective date of that public law.
4. It amends the eligibility requirements for burial in the Veterans' Memorial Cemetery.
5. It removes the chiefs of police as members of the study commission to review traffic congestion along the Route 1 York Corridor and Route 236 to correctly reflect Senate Amendment "A" to Committee Amendment "A" to S.P. 571, L.D. 1638, which was adopted by both Houses of the Legislature.
6. It clarifies the effective dates of Part KKK of Public Law 1999, chapter 401, concerning prescription drugs for the elderly programs.
7. It removes from Public Law 1999, chapter 513 that portion of the legislation that authorized the Finance Authority of Maine to issue up to \$35,000,000 in bonds, backed by the State of Maine, to finance the construction of transmission lines to connect northern Maine's utilities with the transmission grid of the United States. This Part also resolves a conflict created by Public Law 1999, chapter 484, which amended the same provision of law.
8. It amends Public Law 1999, chapter 505, Part A, section 7 to clarify that direct payments from the Wells Waste Oil Clean-up Fund are not based on financial need and will only be available to Maine residents or corporations.
9. It corrects conflicts created by several public laws amending the aggravated trafficking or furnishing law in the Maine Criminal Code.
10. It corrects a conflict in the Maine Juvenile Code concerning the detention of juveniles.
11. It specifies that the uninsured or underinsured vehicle coverage required by Public Law 1999, chapter 271 applies to personal automobile insurance policies issued or renewed in this State on or after July 1, 2000.

Chapter 531 was enacted as an emergency measure effective June 23, 1999.