

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
119TH LEGISLATURE**

SECOND REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
JUDICIARY**

JULY 2000

MEMBERS:

Sen. Susan W. Longley, Chair

Sen. Sharon Anglin Treat

Sen. John W. Benoit

Rep. Richard H. Thompson, Chair

Rep. Thomas Bull

Rep. Charles C. LaVerdiere

Rep. Patricia T. Jacobs

Rep. Charles E. Mitchell

Rep. William S. Norbert

Rep. Debra D. Plowman

Rep. David R. Madore

Rep. G. Paul Waterhouse

Rep. William J. Schneider

Rep. Donna M. Loring

Staff:

Margaret J. Reinsch, Esq., Principal Analyst

Deborah C. Friedman, Esq., Senior Legislative Analyst

Office of Policy and Legal Analysis

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 NINETEENTH LEGISLATURE
SECOND REGULAR SESSION

Summary Of Legislation Before The Joint Standing Committees
July 2000

We are pleased to provide this summary of 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:

<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>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</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 Second Regular Session (unless otherwise specified in a particular law) is August 11, 2000.

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

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMPBELL FERGUSON	OTP-AM	H-1000 H-1085 THOMPSON

LD 2582 proposed to restore a process for municipalities to follow when seeking to dispose of the abandoned personal property that is typically found in tax-acquired or condemned real estate. The process was inadvertently repealed when the Uniform Unclaimed Property Act was enacted as Public Law 1997, chapter 508.

Committee Amendment "A" (H-1000) proposed to clarify the requirements that apply to municipalities, counties and other political subdivisions relating to notifying the owner of abandoned property. The amendment also proposed that if the municipality, county or other political subdivision sells the abandoned property, after applying the proceeds to the costs of storage, notice and sale, the balance and the appropriate records must be turned over to the Treasurer of State in accordance with the Uniform Unclaimed Property Act.

House Amendment "A" (H-1085) proposed to establish the process by which municipalities and other political subdivisions must dispose of abandoned property.

Enacted law summary

Public Law 1999, chapter 667 provides municipalities, counties and other political subdivisions with a process by which to dispose of abandoned personal property that is typically found in tax-acquired or condemned real estate. The process includes specific notice requirements, and establishes the process by which municipalities, counties and other political subdivisions must dispose of abandoned property. If the property is sold, after applying the proceeds to the costs of storage, notice and sale, the political subdivision must turn over the balance and the appropriate records to the Treasurer of State in accordance with the Uniform Unclaimed Property Act.

Public Law 1999, chapter 667 was enacted as an emergency measure effective April 11, 2000.

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

LD 2607 proposed to effectuate Public Law 1991, chapter 720 to include certain lands in Albany Township as Passamaquoddy Indian territory. In response to Kimball v. LURC, 2000 ME 20, the bill proposed to remove the land in question from the provision that required certification by the Secretary of the Interior of the United States by January 31, 1991 and clarify that the land in question is within Passamaquoddy Indian territory. The bill proposed to apply retroactively to the effective date of Public