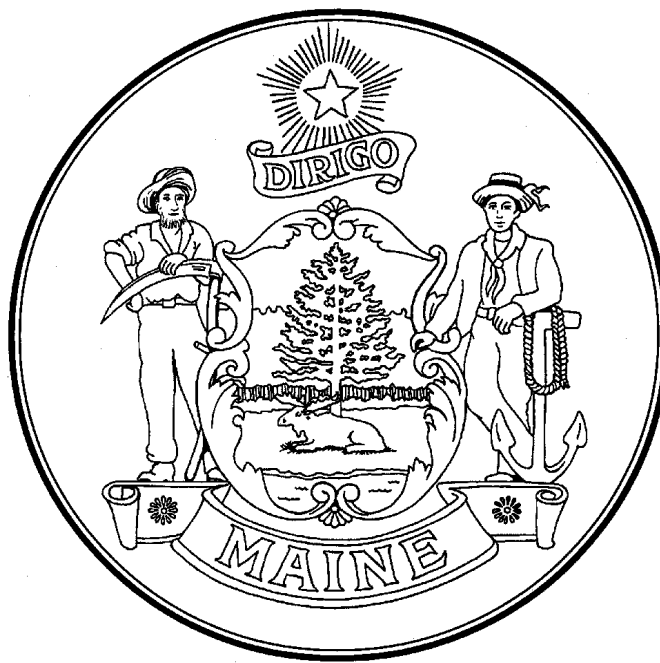


MAINE STATE LEGISLATURE

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**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

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Staff:

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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:

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
NOT PROPERLY BEFORE THE BODY..... Ruled out of order by the presiding officers; bill died
INDEF PP..... Bill Indefinitely Postponed
ONT P..... 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 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

Law 1991, chapter 720, and provide that decisions of the Maine Land Use Regulation Commission affecting the property are effective.

Committee Amendment "A" (H-1071), the minority report, proposed to amend the Implementing Act to extend the deadline by which the Secretary of the Interior must certify land acquired and held in trust for the Passamaquoddy Tribe to January 31, 2021. This would have the effect of making the Albany Township land acquired by the Passamaquoddy Tribe before January 1, 1991 Indian Territory. (Not adopted)

Senate Amendment "A" to Committee Amendment "A" (S-667) proposed to require, prior to transfer of any land in an unorganized township of at least 100 residents to the Passamaquoddy Tribe or the Penobscot Nation, approval of the residents of that unorganized township and of the State. The country commissioners would be required to hold the referendum. (Not adopted)

Senate Amendment "B" to Committee Amendment "A" (S-673) proposed to clarify that the Passamaquoddy Tribe would have to seek anew the rezoning and development permit from the Maine Land Use Regulation Commission. (Not adopted)

LD 2682

**An Act to Provide Equal Treatment for State Employees under
Certain Federal Employment Laws**

**VETO
SUSTAINED**

<u>Sponsor(s)</u>	<u>Committee Report</u>		<u>Amendments Adopted</u>	
	OTP	MAJ	S-765	MICHAUD
	ONTP	MIN		

LD 2682 proposed to give consent for State employees, former employees and employment applicants to sue the State under the following federal employment laws: the Fair Labor Standards Act, the Americans with Disabilities Act, the Age Discrimination in Employment Act, Title VII of the Civil Rights Act, and the Jones Act, which provides remedies for maritime employees injured on the job. The United States Supreme Court has recently ruled that individual employees may not sue the State in its capacity as employer for damages under the Fair Labor Standards Act or the Age Discrimination in Employment Act, unless the State has consented to be sued. The bill proposed to consent to suit under those laws and 3 others that may be the subject of future Supreme Court rulings.

LD 2682 addressed an issue originally proposed as part of LD 2530. The Judiciary Committee unanimously approved one part of LD 2530 and sent the bill to the floor for approval. The second part of LD 2530 was included in LD 2682, which was reported out of committee as a committee bill with a divided report.