

# MAINE STATE LEGISLATURE

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*State Of Maine  
120th Legislature*

*First Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Judiciary*

*August 2001*

**Members:**

*Sen. Anne M. Rand, Chair*

*Sen. Michael J. McAlevey*

*Sen. Norman K. Ferguson, Jr.*

*Rep. Charles C. LaVerdiere, Chair*

*Rep. Thomas D. Bull*

*Rep. Patricia T. Jacobs*

*Rep. Charles E. Mitchell*

*Rep. Christopher T. Muse*

*Rep. Deborah L. Simpson*

*Rep. David R. Madore*

*Rep. G. Paul Waterhouse*

*Rep. Stavros J. Mendros*

*Rep. Roger L. Sherman*

*Rep. Donna M. Loring*

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**120th Legislature  
First Regular Session**

**Summary Of Legislation Before The Joint Standing Committees  
August 2001**

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 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](http://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*  
*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 21, 2001**.

*David E. Boulter, Director*  
Offices Located in the State House, Rooms 101/107/135

## Joint Standing Committee on Judiciary

**LD 221**

**An Act to Improve Allowances for Jury Duty**

**DIED ON  
ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLS	OTP-AM MAJ ONTP MIN	S-22

LD 221 proposed to require courts to reimburse jurors for parking expenses and to give jurors an allowance of \$10 a day for meals.

**Committee Amendment "A" (S-22)** proposed to add an appropriation section to fund the meal allowance for jurors. An appropriation was not needed for parking expenses because funding for parking expenses was included in the Part I budget bill, LD 300, Public Law 2001, chapter 358.

**LD 242**

**An Act to Amend the Freedom of Access Laws**

**ONTP**

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

LD 242 proposed to allow a person other than the Attorney General or a district attorney to bring an action to enforce the freedom of access laws if the Attorney General fails to bring an action within 30 days after receiving a complaint of a violation.

**LD 264**

**An Act Regarding the State's Land Use Mediation Program**

**PUBLIC 184**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TREAT COWGER	OTP-AM	S-130

LD 264 proposed to remove sunset provisions that, effective October 1, 2001, repeal the State's Land Use Mediation Program, administered by the Judicial Department's Court Alternative Dispute Resolution Service. The bill also proposed to provide for a biennial report from the Land and Water Resources Council to the Legislature, Governor and Judicial Department on the program's effectiveness.

**Committee Amendment "A" (S-130)** proposed to repeal the whole paragraph pertaining to the repeal of the land use mediation program. It also proposed to add a fiscal note to the bill.

### *Enacted law summary*

Public Law 2001, chapter 184 removes sunset provisions that, effective October 1, 2001, repeal the State's Land Use Mediation Program, administered by the Judicial Department's Court Alternative Dispute Resolution Service.