

# 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 966**

**An Act to Amend the Maine Tort Claims Act**

**PUBLIC 249**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LAVERDIERE	OTP-AM MAJ ONTP MIN	H-279

LD 966 proposed to amend the Maine Tort Claims Act to provide that if the claimant is a minor when the cause of action accrues, the notice to a governmental entity may be presented within 180 days of the minor's attaining 18 years of age and the action may be brought within two years of the minor's attaining 18 years of age.

**Committee Amendment "A" (H-279)** proposed to add an application section to the bill to enable any person whose statute of limitations has not yet expired to take advantage of the law change.

## *Enacted law summary*

Public Law 2001, chapter 249 amends the Maine Tort Claims Act to provide that if the claimant is a minor when the cause of action accrues, the notice to a governmental entity may be presented within 180 days of the minor's attaining 18 years of age and the action may be brought within two years of the minor's attaining 18 years of age. A minor whose statute of limitations has not run out by the effective date of Chapter 249 has 180 days after attaining 18 years of age to give notice of an action and two years after attaining 18 years of age to bring the action.

**LD 974**

**An Act to Create the Civil Rights in Public Employment, Education and Contracting Act**

**ONTP**

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

LD 974 proposed to prohibit the State and its subdivisions and instrumentalities from discriminating against or granting preferential treatment to any person in the operation of public employment, education or contracting on the basis of race, sex, color, ethnicity or national origin.

**Committee Amendment "A" (H-336)**, the minority report of the committee, proposed to add a fiscal note to the bill. (Not adopted)