

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

Staff:

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Maine State Legislature
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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).

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

Public Law 2001, chapter 286 amends the Maine Revised Statutes, Title 11, Article 9-A to incorporate proposals of the Revised Article 9 Study Group convened by the Secretary of State. Chapter 286 provides that an amendment to a Uniform Commercial Code financing statement that is recorded in a registry of deeds must contain the name of the debtor and the secured party.

Public Law 2001, chapter 286 was enacted as an emergency effective May 25, 2001. Article 9-A of the Uniform Commercial Code takes effect July 1, 2001.

LD 1111

An Act to Increase the Civil Liability of Parents for the Criminal Conduct of their Children

ONTP

<u>Sponsor(s)</u> POVICH		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1111 proposed to increase the cap on liability of a parent or guardian of a minor who intentionally causes damage to a person or property from \$800 to \$10,000.

LD 1136

An Act to Treat All Children with Dignity

PUBLIC 217

<u>Sponsor(s)</u> FULLER LONGLEY		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-281
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LD 1136 proposed to remove from the Maine Revised Statutes the references to "illegitimate" or "bastard" child and substitute the phrase "child born to an unwed mother."

Committee Amendment "A" (H-281) proposed to replace the bill. It proposed to repeal a section dealing with warrants issued pursuant to bastardy actions and remove a reference to bastardy cases in the Probate Code.

Enacted law summary

Public Law 2001, chapter 217 repeals a section of Maine Statutes dealing with warrants issued pursuant to bastardy actions and removes a reference to bastardy cases in the Probate Code. The statutes governing bastardy actions, which were used to require the father of a child born out wedlock to support the child, were repealed and replaced by the Uniform Act on Paternity in 1967.