

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
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:

Margaret J. Reinsch, Principal Analyst

Deborah C. Friedman, Senior 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

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

House Amendment "A" (H-311) proposed to remove language from the bill that authorizes the Maine Indian Tribal-State Commission to introduce legislation.

Enacted law summary

Public Law 2001, chapter 173 requires the Maine Indian Tribal-State Commission to organize an assembly of governors and chiefs on an annual basis and requires the commission to organize a tribal-state legislative assembly on a biennial basis.

LD 1181 **An Act to Reduce Frivolous Protection from Harassment Actions** **ONTP**

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

LD 1181 proposed to allow a court that dismisses a petition for a protective order to require the plaintiff to pay court fees or reasonable attorney's fees.

Committee Amendment "A" (H-331) was the minority report of the Joint Standing Committee on Judiciary. It proposed to replace the bill. It proposed to authorize the court in a protection from harassment action to order the plaintiff to pay reasonable attorney's fees if the court determines that the petition was frivolous or dilatory. (Not adopted)

LD 1195 **An Act to Strengthen Penalties for Minors Displaying False Identification** **ONTP**

<u>Sponsor(s)</u> PERRY O'GARA	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
--------------------------------------	---------------------------------	---------------------------

LD 1195 proposed to add motor vehicle license suspension as a penalty option for minors who use false identification to obtain tobacco or alcohol. A court could impose a one-month to 3-month suspension for a first offense, a 3-month to 6-month suspension for a 2nd offense and a one-year suspension for any subsequent offense.

LD 1204 **An Act to Preserve the Life and Health of Women** **ONTP**

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