

# 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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**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](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 1453**

**An Act to Amend the Laws that Govern Property that is Exempt from Attachment and Execution**

**PUBLIC 306**

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

LD 1453 proposed to double the amount of property value of a residence or a motor vehicle that is exempt from attachment and execution and exempt for purposes of a bankruptcy proceeding. It proposed to provide that a payment or account under an individual retirement account or similar plan or contract is generally exempt to the sum of \$15,000 or to the extent reasonably necessary for the support of the debtor and any dependent of the debtor, whichever is greater.

### *Enacted law summary*

Public Law 2001, chapter 306 amends the laws that govern what property is exempt from attachment and execution and exempt for purposes of a bankruptcy proceeding. It increases the exemption for a residence from \$12,500 to \$25,000 and from \$25,000 to \$50,000 if minor dependents live with the debtor. It increases the exemption for a motor vehicle from \$2,500 to \$5,000. It provides that a payment or account under an individual retirement account or similar plan or contract is generally exempt to the sum of \$15,000 or to the extent reasonably necessary for the support of the debtor and any dependent of the debtor, whichever is greater. Current law provides that such a payment or account is exempt to the extent reasonably necessary for the support of the debtor and any dependent of the debtor.

**LD 1455**

**An Act to Implement the Recommendations of the Committee to Study Further Decriminalization of the Criminal Laws of Maine**

**PUBLIC 421**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-604

LD 1455 is the legislative recommendations of the Committee to Study the Further Decriminalization of the Criminal Laws of Maine, created by 1999 Joint Order H.P. 1914.

**Committee Amendment "A" (H-604)** proposed to revise the statute of limitations language and the provisions governing the prosecution of civil violations. It proposed to revise the general license suspension provisions, as well. It also proposed changes with regard to the decriminalization of marine resources and fisheries and wildlife violations.

### *Enacted law summary*

Public Law 2001, chapter 421 is the legislative recommendations of the Committee to Study the Further Decriminalization of the Criminal Laws of Maine, created by 1999 Joint Order H.P. 1914.