

# 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 1530**

**An Act to Improve the Health Care and Forensic Response for Victims of Sexual Assault**

**DIED ON  
ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NORBERT MICHAUD MH	OTP-AM MAJ OTP-AM MIN	H-550

LD 1530 proposed to establish, within the Department of the Attorney General, the Sexual Assault Forensic Examiner Advisory Board. The purpose of the board is to promote the statewide creation, growth and sustainability of sexual assault forensic examiner programs by providing advice and assistance regarding training, technical assistance, standards and resources to the sexual assault forensic examiner programs.

The bill also proposed an appropriation section to fund one position and related costs to administer the sexual assault forensic examiner program. The program currently exists but would be moved under the jurisdiction of the Department of the Attorney General.

**Committee Amendment "A" (H-550)** is the majority report of the Joint Standing Committee on Judiciary.

This amendment proposed to add four members to the Sexual Assault Forensic Examiner Advisory Board: one from a statewide association of hospitals; one forensic pediatric health care provider; and two as public members.

This amendment also proposed to revise language referring to specific organizations that have not been created by statute to refer to these organizations in general terms.

**Committee Amendment "B" (H-551)** is the minority report of the Joint Standing Committee on Judiciary. It differs from the majority report in that it would fund the bill from funds that would otherwise be used to fund the civil rights team within the Department of Attorney General. (Not adopted)

The contents of this bill and Committee Amendment "A" were incorporated into Part 7 of the Part II Budget, Public Law 2001, chapter 439.

**LD 1550**

**An Act to Bring the Takings Law into Compliance with the Constitution of Maine and the United States Constitution**

**ONTP**

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

LD 1550 proposed to require the State and its political subdivisions to comply with the constitutional takings principles espoused in several state and federal court cases in all situations involving real property, including the taking or purchase of rights-of-way and easements.

**Committee Amendment "A" (H-277)** was the minority report of the Joint Standing Committee on Judiciary. The amendment proposed to add a fiscal note to the bill. (Not adopted)