

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

LD 1689

An Act to Amend the State's Abortion Reporting Law

ONTP

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

LD 1689 proposed to revise the abortion reporting law to require the reporting of very specific information about each abortion performed while maintaining the confidentiality of the patients and physicians. It proposed to require the Department of Human Services to compile the information and make a report available on an annual basis. Failure to report as required would be a Class D crime. Falsifying or altering a reporting form could result in a forfeiture of up to \$1,000.

Committee Amendment "A" (S-103) was the minority report of the Joint Standing Committee on Judiciary. This amendment proposed to add an appropriation section and a fiscal note to the bill. (Not adopted)

LD 1696

An Act to Allow the Chief Medical Examiner to Assume the Responsibility for the Disposition of Human Remains

PUBLIC 292

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KANE	OTP-AM	H-340
LONGLEY		

LD 1696 proposed to add a new provision to the Medical Examiner Act to allow the Chief Medical Examiner to assume responsibility for proper disposition of dead bodies of identified nonresidents or unidentified dead bodies that are the subject of medical examiner cases when no other person or governmental unit is willing to take responsibility for disposition.

Committee Amendment "A" (H-340) proposed to replace the bill and proposed to do the following:

Clarify that the Chief Medical Examiner's responsibility for disposition of an identified deceased nonresident or unidentified body is conditioned upon the Chief Medical Examiner, after reasonable inquiry, being unsuccessful in either locating next of kin in the context of a deceased nonresident, another person or a governmental unit legally responsible for disposition or locating another person or governmental unit willing to undertake responsibility notwithstanding the absence of a legal duty; and

Specify that any necessary expenses incurred by the Chief Medical Examiner for proper disposition are the responsibility of the Department of Human Services, except in the event that a deceased nonresident is an illegal alien or the deceased is not identified but the Chief Medical Examiner, after reasonable inquiry, determines the deceased is an illegal alien. In those special circumstances, the necessary expenses incurred by the Chief Medical Examiner for proper disposal are the responsibility of the Department of the Attorney General.