

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).

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

required by federal law, 42 United States Code, Section 608. It adds a new hearsay exception that allows responses from employers, businesses and financial institutions to be introduced in court without the need for the employer's, business's or financial institution's presence for verification, as the records are held in the ordinary course of business.

LD 1721 **An Act to Allow Expressly Authorized Persons to Conduct Investigations for the Chief Medical Examiner** **PUBLIC 291**

<u>Sponsor(s)</u> MARTIN BERRY R		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 1721 proposed to allow the Chief Medical Examiner to expressly authorize a person to conduct the investigation and examination on any case reported to the Office of Chief Medical Examiner.

Enacted law summary

Public Law 2001, chapter 291 allows the Chief Medical Examiner to expressly authorize a person to conduct the investigation and examination on any case reported to the Office of Chief Medical Examiner.

LD 1734 **An Act to Promote Safe Schools** **CARRIED OVER**

<u>Sponsor(s)</u> DUDLEY		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 1734 proposed to allow a student who is harassed or assaulted on school grounds or during a school supervised activity for reasons of the race, color, religion, sex, ancestry, national origin, physical or mental disability or sexual orientation of the student to sue the school administrative unit for failing to prevent the abuse.

This bill has been carried over to the Second Regular Session.

LD 1751 **An Act to Amend the Maine Commission on Domestic Abuse** **PUBLIC 240**

<u>Sponsor(s)</u> NORBERT RAND		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-341
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LD 1751 proposed to make changes to the composition of the Maine Commission on Domestic Abuse and require the commission to report biennially to the Legislature.

Joint Standing Committee on Judiciary

Committee Amendment "A" (H-341) proposed to replace the bill in order to change the name and duties of the Maine Commission on Domestic Abuse to cover both domestic and sexual abuse. The proposed new name of the commission is the Maine Commission on Domestic and Sexual Abuse.

The amendment proposed to correct the reference to members appointed by the Governor to represent the coalition of sexual assault centers.

The amendment proposed to add one member, appointed by the Governor, who has experience working with batterers' intervention programs.

The amendment proposed to clarify the language to require the commission to report to the joint standing committee of the legislature having jurisdiction over judiciary matters every two years, beginning January 30, 2002.

The amendment also proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 240 adds members to the membership of the Maine Commission on Domestic Abuse, and requires the commission to report biennially to the Legislature. The Commission becomes the Maine Commission on Domestic and Sexual Abuse.

LD 1770 An Act Regarding Conversions of Nonprofit Entities to For-profit Entities CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAXL RAND		

LD 1770 proposed to amend statutes relating to the oversight of public charities by the Attorney General and to enact or amend laws relating to conversions of nonprofit entities to for-profit entities, management of institutional funds, duties and authority of directors and officers of nonprofit corporations, standards of conduct for directors and other matters relating to nonprofit corporations.

This bill has been carried over to the Second Regular Session.

LD 1793 Resolve, to Establish the Commission to Review the Child Protective System DIED ON ADJOURNMENT

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>