

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
122nd Legislature*

Second Regular Session

Bill Summaries

*Joint Standing Committee
on
Judiciary*

July 2006

Members:

Sen. Barry J. Hobbins, Chair

Sen. Lynn Bromley

Sen. David R. Hastings III

Rep. Deborah L. Simpson, Chair

Rep. Sean Faircloth

Rep. Stan Gerzofsky

Rep. Marilyn E. Canavan

Rep. Mark E. Bryant

Rep. Michael Edward Dunn

Rep. Roger L. Sherman

Rep. Roderick W. Carr

Rep. Joan Bryant-Deschenes

Rep. Joan M. Nass

Staff:

Margaret J. Reinsch, 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 Office of Fiscal and Program Review

122nd Maine Legislature Second Regular Session

Summary of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 arranged alphabetically by committee name 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/billsumm.htm).

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:

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
P&S XXX.....	Chapter # of enacted Private & Special Law
PASSED.....	Joint Order passed in both bodies
PUBLIC XXX.....	Chapter # of enacted Public Law
RESOLVE XXX.....	Chapter # of finally passed Resolve
UNSIGNED (Pocket Veto).....	Bill held by Governor
VETO SUSTAINED.....	Legislature failed to override Governor's Veto

Please note that the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is August 23, 2006.

Joint Standing Committee on Judiciary

LD 1569

An Act To Abolish the Maine Indian Tribal-State Commission

ONTP

<u>Sponsor(s)</u> MOORE F		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
------------------------------	--	---------------------------------	--	---------------------------

LD 1569 proposed to abolish the Maine Indian Tribal-State Commission and proposed to create in its place the Intergovernmental Tribal-State Board. The board would have the same responsibilities that the Maine Indian Tribal-State Commission was assigned under the Act to Implement the Maine Indian Claims Settlement. The legislative members would not participate in rule-making functions of the board.

The bill would not take effect until approved by the Passamaquoddy Tribe, the Penobscot Nation and the Houlton Band of Maliseet Indians.

LD 1609

An Act To Establish the Uniform Partnership Act and the Uniform Limited Partnership Act

PUBLIC 543

<u>Sponsor(s)</u> HOBBINS		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-506
------------------------------	--	-----------------------------------	--	------------------------------------

LD 1609 proposed to repeal the existing Uniform Partnership Act and enact the Revised Uniform Partnership Act of 1997 (RUPA) as the new Uniform Partnership Act.

Committee Amendment “A” (S-506) proposed to add to the bill the Uniform Limited Partnership Act, adopted by the National Conference of Commissioners on Uniform State Laws in 2001. The amendment was proposed to take the place of L.D. 986, which is a concept draft. The amendment proposed to add the Uniform Limited Partnership Act as Part C and the respective conforming amendments and cross-references as Part D. A Maine Comment is included when necessary to explain a deviation from the Uniform Limited Partnership Act.

The amendment proposed to revise the conversion language in the Uniform Partnership Act.

The amendment proposed to set the effective date for the Uniform Partnership Act, the Uniform Limited Partnership Act and all the conforming amendments as July 1, 2007.

Enacted law summary

Public Law 2005, chapter 543 repeals the existing Uniform Partnership Act and enacts the Revised Uniform Partnership Act of 1997 (RUPA) as the new Uniform Partnership Act. It also repeals the Uniform Limited Partnership Act and enacts the Maine Revised Uniform Limited Partnership Act (2001). Chapter 543 takes effect July 1, 2007.