

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
124<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during  
the First Regular Session of the 124<sup>th</sup> Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON JUDICIARY**

July 2009

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# STATE OF MAINE

124<sup>TH</sup> LEGISLATURE  
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## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 124<sup>th</sup> Maine Legislature.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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.....	Carried over to a subsequent session of the Legislature
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; bill died
ONTP (or Accepted ONTP report).....	Ought Not To Pass report accepted; bill died
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

The effective date for non-emergency legislation enacted in the First Regular Session of the 124<sup>th</sup> Legislature is September 12, 2009. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

# Joint Standing Committee on Judiciary

**LD 797**

## **An Act To Fully Implement the Legislative Intent in Prohibiting Offensive Place Names**

**PUBLIC 284**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL W SCHNEIDER	OTP-AM	H-312

This bill clarifies the law concerning offensive place names prohibiting the use of terminology degrading towards women by prohibiting any derivation of "squaw" or "squa" as a separate word or as part of a word or phrase.

### **Committee Amendment "A" (H-312)**

This amendment provides that use of "squa" as a separate syllable in a word is also prohibited in naming places.

### **Enacted Law Summary**

Public Law 2009, chapter 284 clarifies the law concerning offensive place names prohibiting the use of terminology degrading towards women by prohibiting any derivation of "squaw" or "squa" as a separate word or as part of a word or phrase, and the use of "squa" as a separate syllable in a word.

**LD 803**

## **An Act To Authorize an Active Retired Justice or Judge To Conduct Arbitration and Chair Medical Malpractice Screening Panels**

**PUBLIC 136**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HASTINGS	OTP-AM	S-106

This bill amends the law to allow an active retired justice or judge to conduct arbitration and chair medical malpractice screening panels in addition to those retired justices and judges who may perform those duties now.

### **Committee Amendment "A" (S-106)**

This amendment amends the law to allow an active retired justice or judge to chair medical malpractice screening panels in addition to those retired justices and judges who may perform those duties now. This amendment also permits the Supreme Judicial Court to adopt rules that would permit an active retired justice or judge to conduct arbitration. This amendment also includes technical changes to the Maine Revised Statutes, Title 4, section 104 to clarify that the Chief Justice of the Superior Court is authorized to direct and assign an Active Retired Justice of the Superior Court and that an Active Retired Justice of the Superior Court is entitled to reimbursement for expenses actually and reasonably incurred in the performance of duties. These technical changes also make the law as applied to an Active Retired Justice of the Superior Court compatible with Title 4, section 157-B regarding an Active Retired Judge of the District Court.

### **Enacted Law Summary**

Public Law 2009, chapter 136 amends the law to allow an active retired justice or judge to conduct arbitration and chair medical malpractice screening panels and permits the Supreme Judicial Court to adopt rules that would permit an active retired justice or judge to conduct arbitration. Chapter 136 also includes technical changes to the Maine Revised Statutes, Title 4, section 104 to clarify that the Chief Justice of the Superior Court is authorized to direct and assign an Active Retired Justice of the Superior Court and that an Active Retired Justice of the Superior Court is entitled to reimbursement for expenses actually and reasonably incurred in the performance of duties. These