

## *Judiciary*

**PUBLIC 520      An Act to Improve Maine's Jail Diversion Programs      LD 202**

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| <u>Sponsor(s)</u><br>CANAVAN<br>DAGGETT | <u>Committee Report</u><br>OTP-AM    MAJ<br>ONTP      MIN | <u>Amendments Adopted</u><br>H-829 |
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Public Law 2001, chapter 520 provides enabling legislation for the Judicial Department to apply for and receive funding from sources other than the State to establish mental health treatment courts. If the Judicial Department receives funding, before implementation of mental health treatment courts the Judicial Department must report to the joint standing committee of the Legislature having jurisdiction over judiciary matters information about the funding and the plans for the mental health treatment court.

**PUBLIC 532      An Act Relating to the Dissemination of Intelligence and      LD 1899**  
**Investigative Information**

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| <u>Sponsor(s)</u><br>MCALEVEY | <u>Committee Report</u><br>OTP-AM | <u>Amendments Adopted</u><br>S-433 |
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Public Law 2001, chapter 532 allows for the sharing of intelligence and investigative information between criminal justice agencies and the Department of Human Services in abuse, neglect and exploitation cases involving incapacitated or dependent adults.

**PUBLIC 539      An Act to Protect Victims of Domestic Violence, Sexual Assault and LD 2019**  
**Stalking**

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| <u>Sponsor(s)</u><br>SAXL<br>RAND | <u>Committee Report</u><br>OTP-AM | <u>Amendments Adopted</u><br>H-855<br>H-866    DUPLESSIE |
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Public Law 2001, chapter 539 establishes the Address Confidentiality Program to be administered by the Secretary of State. The program provides state and local agencies with the ability to respond to requests for public records without disclosing the location of a victim of domestic violence, stalking or sexual assault. The program enables interagency cooperation with the Secretary of State in providing address confidentiality for victims of domestic violence, stalking or sexual assault and enables state and local agencies to accept a program participant's use of an address designated by the Secretary of State as a substitute mailing address.

**PUBLIC 543      An Act Regarding Child Abandonment      LD 1670**

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| <u>Sponsor(s)</u><br>KILKELLY<br>O'BRIEN L | <u>Committee Report</u><br>OTP-AM | <u>Amendments Adopted</u><br>S-447 |
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Public Law 2001, chapter 543 provides simple procedures for a person who wants to abandon a baby in a safe manner. It provides an affirmative defense to the prosecution for the crime of abandonment of a child. The affirmative defense is available for a person who delivers a child less than 31 days old to: a law enforcement officer; staff at a medical emergency room, not limited to a hospital emergency room; a medical services provider; or a hospital staff member. The safe haven provider may request information that would be helpful to the child's welfare, but may not detain anyone who is delivering the child in order to collect the information. Any information that is supplied must be provided to the Department of Human Services. The Department of Human Services is directed to establish guidelines to assist a safe haven provider concerning procedures to follow when a child is delivered to the safe haven provider. The person or entity who accepts a child under this Act or provides temporary custody of a child accepted under this Act is immune from civil, criminal and administrative liability for acting under this section if the person or entity acts in good faith, believing the action is required or authorized.

**PUBLIC 544      An Act to Enact the Uniform Principal and Income Act of 1997      LD 1573**

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| <u>Sponsor(s)</u><br>NORBERT<br>RAND | <u>Committee Report</u><br>OTP-AM | <u>Amendments Adopted</u><br>H-851 |
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Public Law 2001, chapter 544 enacts the Uniform Principal and Income Act of 1997, adopted by the National Conference of Commissioners on Uniform State Laws in 1997. It provides rules for handling trust principal, income, receipts and disbursements. The Act takes effect January 1, 2003, and it applies to trusts and decedent's estates starting with the first fiscal year of the trust or decedent's estate that begins on or after January 1, 2003, unless the terms of the trust or will expressly provide otherwise.

**PUBLIC 546      An Act to Amend the Laws Governing Background Checks on      LD 2010  
Prospective Adoptive Parents**

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| <u>Sponsor(s)</u><br>TESSIER | <u>Committee Report</u><br>OTP-AM | <u>Amendments Adopted</u><br>H-856 |
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Public Law 2001, chapter 546 amends the laws concerning background checks of prospective adoptive parents. It allows the Probate Court to waive a subsequent background check, including the criminal history check based on fingerprinting, if a background check under this requirement on the same person was completed within a reasonable period of time and the Probate Court is satisfied that nothing new that would be included in the background check has transpired since the last check.

## Judiciary

**PUBLIC 550      An Act Regarding Public Charities, Nonprofit Corporations and      LD 1770**  
**Conversions of Nonprofit Entities to For-profit Entities**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
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| SAXL              | OTP-AM    MAJ           | H-869                     |
| RAND              | ONTP      MIN           |                           |

Public Law 2001, chapter 550 amends the law relating to the Attorney General's power to oversee charitable entities, enacts new law relating to conversion of charitable assets to for-profit purposes, and amends the general law governing all non-profit corporations.

*Attorney General Authority over Public Charities.* Part A of Chapter 550 provides civil investigative authority to enable the Attorney General to ensure that public charities make proper use of their charitable assets, and defines public charities to include non-profit corporations formed for charitable purposes as well as charitable trusts. The civil investigative authority provided in the new law may be used only for specified purposes, and must be approved in advance by a Justice of the Superior Court.

*Conversion of Charitable Assets to For-Profit Uses.* Chapter 550 provides 3 different processes for overseeing conversion of non-profit assets to for-profit use, depending on the fair market value of the assets to be converted. For small transactions (those with a value of less than \$50,000), a converting entity is only required to notify the Attorney General at least 20 days before the transaction is to occur. Larger transactions (those between \$50,000 and \$499,999) must be approved by the Attorney General, and the largest transactions (those valued at \$500,000 or more) must be approved by the Superior Court. The law defines the type of transactions that are subject to the new law and clarifies that many ordinary transactions are not included in the definition of "conversion transaction."

The law provides for public participation in conversion reviews by requiring public notice, providing for public access to records, inviting public comment to the Attorney General when the Attorney General has approval authority and providing a liberal standard for intervention in court approval processes. The law sets standards for approval of conversions, including a requirement that the proceeds from such a conversion must be distributed to a charitable foundation or corporation that meets certain standards.

Chapter 550 also changes existing law regarding conversions of nonprofit hospital and medical services organizations to ensure that conversions of all such nonprofit entities are covered by that law and not the new conversion law. It also requires the Superintendent of Insurance to review the existing conversion law and report back to the Legislature in 2003 on whether changes are needed to update the nonprofit hospital and medical services conversion law for any future conversions.

*Changes to the general non-profit corporations law.* Part C of chapter 550 amends Title 13-B of the Maine Revised Statutes, the general nonprofit corporation law. It divides non-profit corporations into 2 categories: public benefit corporations and mutual benefit corporations. The definition of "public benefit corporation" includes a corporation recognized by the IRS as a 501(c)(3) organization, certain other corporations organized for public or charitable purposes, those designated as public benefit corporations by statute and those that elect to be a public benefit corporation. Non-profits that do not fall into the definition of "public benefit corporation" are mutual benefit corporations.

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Chapter 550 applies several additional laws to public benefit corporations, including provisions that: (1) allow the Attorney General to ask a court to remove a director, void a conflict of interest transaction or dissolve the corporation under certain circumstances; (2) prohibit more than 49% of the directors of the corporation from being persons who are “financially interested” in the corporation; (3) require notice to the Attorney General of certain major corporate changes; and (4) prohibit and penalize misapplications of funds or assets of the public benefit corporation.

The law also changes the standard by which conflict-of-interest transactions in any non-profit corporation are judged by removing the business judgment rule for most transactions. With one exception, such a transaction is protected only if it is objectively fair to the corporation.

**PUBLIC 554      An Act to Make Certain Changes to the State's Child Support      LD 2025**  
**EMERGENCY    Enforcement Laws**

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| <u>Sponsor(s)</u><br>NASS<br>MILLS | <u>Committee Report</u><br>OTP-AM | <u>Amendments Adopted</u><br>H-868 |
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Public Law 2001, chapter 554 amends the statutes governing child support establishment and enforcement. It authorizes Department of Human Services employees who are not attorneys to represent the department in probate court in cases involving child support enforcement, although they are not permitted to prepare and file motions in Probate Court. It amends the paternity statute to address proceedings in which there is more than one alleged father of the same child. It authorizes the Department of Human Services to require an alleged father to submit to blood or tissue-typing tests prior to accepting an acknowledgement if it appears there is more than one alleged father. If the alleged father refuses the testing, the department may file an action in court. It clarifies the responsibility of the Department of Human Services, in consultation with the Supreme Judicial Court and other interested parties, to adopt the child support table by rule. It clarifies that the definition of "extraordinary medical expenses" is based on recurring, uninsured medical expenses in excess of \$250 per child or group of children per calendar year. It adds to the statute language concerning how to calculate a child support obligation for extremely low-income child support obligors (the “self-support reserve”). Chapter 554 amends existing law to require the use of the federally adopted National Medical Support Notice, used to ensure health insurance coverage for obligors' children as required by court orders. This form takes the place of what is currently termed the "health insurance withholding order." A state child support enforcement program is not in compliance with federal requirements and is subject to loss of federal child support enforcement grants if the form is not used. Chapter 554 also clarifies that a person who files an action to establish or vacate a paternity order or support order, to enforce a support order, to amend a support order or to collect support arrearages must send a copy of the motion to the Department of Human Services when the motion is filed if public assistance is involved or if the department provides support enforcement services.

Public Law 2001, chapter 554 was enacted as an emergency measure effective March 25, 2002.

**PUBLIC 601      An Act Regarding the Repatriation of Native American Remains      LD 1940**

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| <u>Sponsor(s)</u><br>SOCTOMAH | <u>Committee Report</u><br>OTP-AM    MAJ<br>ONTP        MIN | <u>Amendments Adopted</u><br>H-975 |
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Public Law 2001, chapter 601 provides a person who possesses human remains that are identified as Indian human remains must transfer the remains to the intertribal repatriation organization that is appointed by the Passamaquoddy Tribe, Penobscot Nation, Houlton Band of Maliseet Indians and Aroostook Band of Micmacs. It provides that if the Indian human remains are subject to the Medical Examiner Act, the Chief Medical Examiner may retain the remains until they are no longer necessary for legal purposes. This requirement does not apply to human remains or persons and entities covered by the federal Native American Graves Protection and Repatriation Act, NAGPRA. Public Law 2001, chapter 601 also addresses human remains that are subject to NAGPRA that fall into the definition of Medical Examiner cases. The Chief Medical Examiner, the Maine Historic Preservation Commission and the Maine State Museum shall enter into a memorandum of understanding concerning the procedures the Chief Medical Examiner must follow when in possession of Indian human remains that are subject to NAGPRA. NAGPRA includes a limited period of study prior to repatriation; the memorandum of understanding will address that period for human remains that are subject to NAGPRA and are Medical Examiner cases.

**PUBLIC 612            An Act to Provide for Notice of Termination, Nonrenewal or            LD 2100**  
**Change in Terms of Certain Leases**

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| <u>Sponsor(s)</u> | <u>Committee Report</u><br>OTP-AM    MAJ<br>ONTP        MIN | <u>Amendments Adopted</u><br>H-974 |
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Public Law 2001, chapter 612 is based on recommendations of the Committee to Study Issues Concerning Changes to the Traditional Uses of Maine Forests and Lands. Chapter 612 provides standards for leases between persons who own land within jurisdiction of the Maine Land Use Regulation Commission and persons who lease the land and occupy or construct residential, recreational or commercial structures on it. The new law requires that such agreements be made in the form of written leases, and that they contain at least a general description of the boundaries of the leased lot. It requires the lessor to provide at least 30 days' notice of change in terms of the lease. Chapter 612 also requires lessors to give lessees at least one years' notice of the intent to terminate a lease, to enable the lessee to remove property or otherwise plan for termination. The terms of the lease continue during the notice period, except that inconsistent termination provisions in the lease are superseded by the statute, to the extent they are inconsistent. Also, the lessee may terminate the lease at any time during the notice period if, for example, the lessee is able to remove the structure prior to the end of the notice period and no longer wishes to occupy the property.

**PUBLIC 632            An Act to Amend the Uniform Commercial Code, Article 9-A            LD 1840**

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| <u>Sponsor(s)</u><br>LAVERDIERE<br>RAND | <u>Committee Report</u><br>OTP-AM | <u>Amendments Adopted</u><br>H-857 |
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Public Law 2001, chapter 632 establishes new, lower fees for communicating certain records under the Uniform Commercial Code by an authorized method other than writing, such as transmitting the records electronically.

### **PUBLIC 640      An Act to Adopt the Model Business Corporation Act in Maine      LD 361**

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| <u>Sponsor(s)</u><br>RICHARDSON<br>EDMONDS | <u>Committee Report</u><br>OTP-AM | <u>Amendments Adopted</u><br>H-1037 |
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Public Law 2001, chapter 640 repeals Title 13-A, the current Maine Business Corporation Act enacted in 1971, and replaces it with a new Title 13-C, also entitled the "Maine Business Corporation Act." It also repeals the current Professional Service Corporation Act and replaces it with a revised Professional Service Corporation Act.

The new business corporation act, Title 13-C, was developed by a revision committee of the Maine State Bar Association. The new act consists primarily of the 1984 Model Business Corporation Act developed by the American Bar Association, updated and modified by the revision committee as necessary to preserve important unique aspects of Maine law. Changes to corporate law are too numerous to summarize; please refer to OPLA Bill Summaries or a copy of the public law itself for additional information.

The revised Professional Service Corporation Act was also developed by the revision committee and is based on language developed by the American Bar Association as a supplement to the Model Business Corporation Act. The revised Act clarifies which professions are subject to the Act, allows multi-profession corporations if the licensing authorities of those professions allow such practices and allows a minority of director positions to be held by nonprofessionals. The Act also provides rules for foreign professional corporations and allows mergers with domestic or foreign professional service corporations and business entities under certain circumstances.

### **PUBLIC 647      An Act Regarding the Requirements for Documenting Pretest and Post-test Counseling for HIV Tests      LD 2157**

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| <u>Sponsor(s)</u><br>MADORE<br>RAND | <u>Committee Report</u><br>OTP | <u>Amendments Adopted</u> |
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Public Law 2001, chapter 647 changes the law requiring health care providers to offer counseling to a person before and after the person is tested for HIV. Current law requires the test provider to prepare a written memorandum summarizing the counseling discussion and to give the memorandum to the person who is being tested. Chapter 647 instead requires the test provider to make an entry in the person's medical record summarizing the discussion and to give the person being counseled a written document containing information on

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the issues required to be covered in counseling. Written consent forms or other standardized forms may be used to meet the requirement if they provide the necessary information.

**PUBLIC 653      An Act to Allow a Lessee to Purchase Leased Premises When the Lessor Decides to Sell      LD 2101**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
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|                   | ONTP      MAJ           | H-973                     |
|                   | OTP-AM      MIN         | H-1041 CARR               |
|                   |                         | H-1070 CARR               |

Public Law 2001, chapter 653 is based on a recommendation of the Committee to Study Issues Concerning Changes to the Traditional Uses of Maine Forests and Lands. Chapter 653 provides for a right of first refusal in leases between persons who own land within jurisdiction of the Maine Land Use Regulation Commission and persons who lease the land and occupy or construct residential, recreational or commercial structures on it. The lessee would have the right to purchase the leased lot if the landowner chooses to offer the parcel for sale. Leases must contain a provision for determining the price at which the lot could be purchased. This law applies to leases entered into on or after July 25, 2002.

**PUBLIC 665      An Act Concerning Custody and Visitation for Sex Offenders      LD 1969**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| CARR              | OTP-AM                  | H-1033                    |
| MICHAUD MH        |                         |                           |

Public Law 2001, chapter 665 requires the court, when establishing parental rights and visitation concerning a child, to take into account a parent's convictions for sex offenses and sexually violent offenses. The court retains discretion to weigh the information and how the existence of any convictions affects the best interests of the child. The same consideration must be taken when establishing grandparents' visitation.

Chapter 665 also requires that in order to award primary residence to a person who is convicted of a child-related sexual offense, the court must find that it is in the best interests of the child and that adequate provision can be made to ensure the child's safety. The same finding is required when the court orders visitation and contact with a grandparent who is convicted of a child-related sexual offense.

**PUBLIC 667      An Act to Correct Errors and Inconsistencies in the Laws of Maine      LD 2083**  
**EMERGENCY**

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| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u>                                     |
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|                   | OTP-AM                  | H-1071<br>H-1097 LAVERDIERE<br>S-567 RAND<br>S-585 GOLDTHWAIT |

Public Law 2001, chapter 667, An Act to Correct Errors and Inconsistencies in the Laws of Maine, made technical corrections and several substantive corrections. Substantive corrections are contained in Parts C, E and G. The substantive changes made by chapter 667 are as follows.

1. It corrects the effective date concerning repair and maintenance of bridges as provided in Public Law 2001, chapter 314.
2. It includes Judges of the District Court in the list of officials to be sworn in by the Governor.
3. It amends the laws governing the Baxter Compensation Authority concerning the Compensation Panel, the timing of compensation decisions, the communication of the decision and the signing of a release before payment of compensation.
4. It revises the application of the smelt laws.
5. It revises the laws concerning ice fishing in recognition of the recent adoption of separate ice fishing rules.
6. It decriminalizes certain violations concerning keeping wild animals in captivity.
7. It corrects the language concerning school bus leases.
8. It corrects references to federally qualified health centers.
9. It updates the membership of the TANF Advisory Council to reflect the replacement of the Job Training Partnership Act.
10. It corrects the provision of death benefits to certain members of the State Fire Marshal's Office.
11. It corrects provisions governing the flags and flag holders at the graves of certain public servants.
12. It corrects the application of penalties for E-911 violations.
13. It corrects a conflict concerning the regulation of scooters.
14. It corrects language concerning certain funding of the Maine Health Access Fund.
15. It revises the recording requirements at the registries of deeds to accept sealed or embossed documents.
16. It revises provisions concerning retired teachers who become legislative employees.

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17. It provides for PUC review of an exception to limitations on the provision of electricity from certain hydropower facilities.
18. It corrects an appropriation to the Ombudsman Program in the Executive Department.

See also LD 2216, Public Law 2001, chapter 710.

Public Law 2001, chapter 667 was enacted as an emergency measure effective April 30, 2002.

**PUBLIC 675      An Act to Amend the Freedom of Access Laws to Protect Security    LD 2153**  
**Plans, Security Procedures and Risk Assessments**

| <u>Sponsor(s)</u>     | <u>Committee Report</u>        | <u>Amendments Adopted</u> |
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| NORBERT<br>MICHAUD MH | OTP-AM    MAJ<br>ONTP      MIN | H-1057                    |

Public Law 2001, chapter 675 exempts from the definition of “public record” security-related information that specifically concerns preventing or preparing for acts of terrorism. The “terrorism” definition closely mirrors the definition in proposed changes to the Maine Criminal Code. Chapter 675 also clarifies that only that information that, if released, could pose a threat to public safety is covered by this exemption. Finally, it adds the term "risk assessments" to the description of security-related information in order to prevent the disclosure of information that could permit exploitation of existing vulnerabilities.

**PUBLIC 696      An Act to Implement the Recommendations of the Committee to      LD 2149**  
**Review the Child Protective System**

| <u>Sponsor(s)</u> | <u>Committee Report</u>        | <u>Amendments Adopted</u>     |
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|                   | OTP-AM    MAJ<br>OTP-AM    MIN | H-1078<br>S-614    GOLDTHWAIT |

Public Law 2001, chapter 696, implements most of the legislative recommendations of the Committee to Review the Child Protective System. It makes many changes to current law, including the following.

1. It amends the Maine Juvenile Code to be consistent with federal law and the child protective statutes with regard to juveniles who are ordered by the court to be removed from their homes.
2. It requires the child welfare services ombudsman program to consult with appropriate interested parties and establish a program to provide information about the child protective system to parents.
3. It rewrites the statutes governing access to and participation in child protective proceedings for nonparties to observe or participate by establishing three expanded tiers of possible participation, without opening proceedings to the public in general.

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4. It requires the Department of Human Services to produce decision-making policies in writing and make them publicly available. It requires the department to post the most current policies on a publicly accessible site on the Internet. Among other topics, the policies must address kinship care and placement.
5. It requires the Department of Human Services, to the extent possible, to audio record all planned questioning of and interviews with children. The department must adopt rules to establish procedures to audio record interviews; the rules are major substantive rules. The fact that an interview was not recorded does not by itself require the exclusion of the information collected in the interview. It also clarifies that any person who is being questioned or interviewed may record the questioning or interview.
6. It amends the law to prohibit the use of evidence that would otherwise be inadmissible hearsay, admitted in the summary preliminary protection hearing under section 4034, subsection 4, in any other proceeding unless the evidence is admitted pursuant to the applicable laws and rules of evidence. It also provides that a finding that is based on that evidence is inadmissible in any other proceeding.
7. It requires the court to make findings of fact on the record on which the jeopardy determination is based; it provides that the jeopardy determination made at the jeopardy hearing must be a fresh determination, and the judge cannot rely on the findings of fact in the preliminary protection order hearing as precedent to establish jeopardy at the jeopardy hearing. This is consistent with In re Isaiah B., 1999 ME 174, 740 A.2d 988 (Me. 1999).
8. It authorizes the court to order any disposition, including custody to the department, if there is a determination of jeopardy with regard to one parent and the other parent or custodian has not been located and therefore not properly served with the petition and notice of proceedings as required by current law. If and when the parent is located, the court may hold a hearing and make a jeopardy determination with regard to that parent.
9. It adjusts the timing of the preliminary protection hearing after a preliminary protection order is issued. It provides that the hearing cannot be held less than 7 days after the order is issued and must be held before 14 days have passed since the issuance of the order. It also requires the court to order the department to schedule visitation with the child's parents and siblings within 7 days of the issuance of the order. Such visitation is not required if there is a compelling reason not to.
10. It directs the Supreme Judicial Court to consider establishing a pilot project to provide representation to parents in child protective proceedings on a contract basis with one or more attorneys or firms. A similar pilot project was undertaken to provide representation for criminal defendants.
11. It requires the Department of Human Services to report to the joint standing committees of the Legislature having jurisdiction over judiciary matters and health and human services matters about planned changes to increase care by relatives and placement with relatives, and how the department will inform families about visitation and placement options for relatives.
12. It directs the Department of Human Services to apply for a waiver to allow for the reimbursement for services and for room and board for children who have not entered into the care and custody of the department.

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**PUBLIC 710      An Act to Correct Recently Enacted Legislation**  
**EMERGENCY**

**LD 2216**

| <u>Sponsor(s)</u>  | <u>Committee Report</u> | <u>Amendments Adopted</u> |
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| LAVERDIERE<br>RAND |                         | H-1118<br>S-625           |

Public Law 2001, c. 710 makes several substantive and technical changes necessitated by recently enacted legislation. The Judiciary Committee reviewed the contents of the bill, although it was not referred to committee. Chapter 710 makes the following changes.

1. It clarifies that any errors in the numbering of subchapters or articles in the law, such as occurred in Public Law 2001, chapter 640, may be taken care of administratively and will ensure greater consistency in the future by allowing Roman numerals to be cited by their Arabic number equivalents.
2. It resolves a technical conflict concerning economic development incentives created by the enactment of two subparagraphs with the same number designation by Public Law 2001, chapter 642 and chapter 652, corrects a cross-reference to the subparagraphs being renumbered and provides an appropriate effective date.
3. It corrects an error in Public Law 2001, chapter 617 that imposed surcharges, fines and forfeitures for violations of the animal welfare laws.
4. It corrects language added by Public Law 2001, chapter 545 concerning service credit purchases by employees of the Maine Technical College System by taking out the reference to electing to purchase service credits. That deletion is consistent with other provisions in chapter 545.
5. It corrects a conflict created by Public Law 2001, chapter 559, Part KK, chapter 604, and chapter 697, Part B, relating to law enforcement training for Capitol Security officers.
6. It corrects a conflict created by Public Law 2001, chapters 671 and 687 that amended the same section of law with different wording concerning who may accompany a person holding a motor vehicle instruction permit.
7. It clarifies the language in the definition of "employee" in the workers' compensation laws concerning family members of members of limited liability companies who are also employed by that LLC.
8. It clarifies the law concerning seat belts and child safety seats to ensure that children who are 8 years of age are required to be properly secured in a seat belt.
9. It corrects a reference to the Bureau of Elder and Adult Services within the Department of Human Services as the agency that administers the consumer-directed personal care assistance services program.
10. It corrects the description of funds to be provided to shelters in Bangor, Lewiston and Portland as appropriated in Public Law 2001, chapter 559.
11. It corrects an error in listing the qualifying year for sea urchin draggers who were inadvertently excluded from obtaining a 2002 sea urchin dragging license under Resolve 2001, chapter 112.

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12. It applies the provisions of the Maine Certificate of Need Act of 2002 regarding the ability of the Commissioner of Human Services to review an application for a certificate of need to any application filed or approved on or after January 1, 1999.
13. It requires the Department of Human Services to display a copy of the dental amalgam brochure on its Internet site and deletes language requiring that copies of the poster and brochure be provided to dentists at cost. It also amends the statutes to be consistent with the rules adopted by the Department of Human Services concerning dental amalgam and alternatives.