

MAINE STATE LEGISLATURE

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L.D. 2055

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JUDICIARY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
122ND LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1449, L.D. 2055, Bill, "An Act To Correct Errors and Inconsistencies in the Laws of Maine"

Amend the bill by inserting after the enacting clause the following:

'PART A'

Further amend the bill by striking out sections 15 to 17.

Further amend the bill by striking out section 22.

Further amend the bill by striking out section 34.

Further amend the bill by striking out section 39.

Further amend the bill by striking out section 49.

Further amend the bill by striking out sections 64 and 65.

Further amend the bill by inserting after section 82 the following:

'PART B'

Sec. B-1. 5 MRSA §1753, sub-§4, as enacted by PL 1993, c. 606, §2, is amended to read:

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2 Company. Two members must be persons who represent the public
3 interest of the company and must be appointed by the Governor
4 within 30 days after a new board member is authorized or a
5 vacancy occurs, subject to review and comment by the joint
6 standing committee of the Legislature having jurisdiction over
7 banking and insurance matters. The designated committee shall
8 complete its review within 15 days of the Governor's written
9 notice of appointment. If the designated committee fails to act
10 within the required 15 days, then the appointees put forward by
11 the Governor become the required board members. One member must
12 be an at-large policyholder member elected by the board. The
13 remaining board member is the president and chief executive
14 officer who shall serve on the board of directors while employed
15 as president and chief executive officer. The reduction in the
16 number of board members from 13 to 9 must be done by attrition.
17 The first 4 appointments to expire after September 1, 1998 may
18 not be filled.

19 A member of the board may not be a lobbyist required to be
20 registered with the Secretary-of-State Commission on Governmental
21 Ethics and Election Practices, a service provider to the workers'
22 compensation system or a representative of a service provider to
23 the workers' compensation system.

24 **Sec. B-20. 24-A MRSA §6908, sub-§12**, as enacted by PL 2005, c.
25 400, Pt. A, §5, is reallocated to 24-A MRSA §6908, sub-§13.

26 **Sec. B-21. 28-A MRSA §1551, sub-§3, ¶F**, as amended by PL 2005,
27 c. 377, §2, is further amended to read:

28 F. ~~Maine--farm~~ Farm winery, includes bottling (one
29 year).....\$50;

30 **Sec. B-22. 28-A MRSA §2077-A**, as amended by PL 1997, c. 373,
31 §§157 and 158 and repealed by c. 501, §5, is repealed.

32 **Sec. B-23. 29-A MRSA §2413, sub-§3**, as amended by PL 2005, c.
33 12, Pt. JJ, §2 and c. 441, §2, is repealed and the following
34 enacted in its place:

35 **3. Penalties.** In addition to any other penalty, the court
36 shall suspend the driver's license of a person convicted under
37 subsection 1 for not less than 30 days nor more than 180 days,
38 which minimum may not be suspended. In addition to any other
39 penalty, the court shall suspend the driver's license of a person
40 convicted under subsection 1-A for not less than 180 days nor
41 more than 2 years, which minimum may not be suspended. If the
42 court fails to suspend the license, the Secretary of State shall
43 impose the minimum period of suspension. The court shall impose

SUMMARY

2 This amendment strikes several sections from the bill.

4 This amendment designates the sections in the bill as Part
6 A. Part B consists of technical corrections. Parts C, D and E
8 contain changes that are or may be considered substantive.

10 Part B does the following.

12 Section 1 corrects a cross-reference and a punctuation error.

14 Section 2 replaces the term "registered credit services
16 organization" with the term "licensed loan broker" to reflect the
18 change made by Public Law 2005, chapter 274.

20 Section 3 replaces an article headnote.

22 Section 4 corrects a conflict created by Public Law 2005,
24 chapters 164 and 274, which affected the same provision of law by
26 incorporating the changes made by both laws.

28 Sections 5 and 6 correct a conflict created by Public Law
30 2005, chapters 164 and 274, which affected the same provision of
32 law, by incorporating the changes made by both laws.

34 Section 7 corrects a cross-reference.

36 Section 8 corrects an error in usage.

38 Section 9 corrects a typographical error in the guardian ad
40 litem statute.

42 Section 10 strikes language that refers to the Maine Revised
44 Statutes, Title 20-A, section 6651, subsection 3, which was
46 repealed by Public Law 2005, chapter 2, Part D, section 20. It
48 also corrects a grammatical error.

Section 11 repeals the Maine Revised Statutes, Title 20-A,
section 11805 to correct a conflict created by Public Law 1991,
chapter 824, Part A, section 36 and chapter 832, section 5.
Section 11805 addressed positions at accredited medical schools.
That topic is now covered by Title 20-A, section 12103.

Sections 12 to 14 correct cross-references and make a
grammatical correction.

Section 15 corrects a cross-reference.

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2 Section 16 corrects cross-references to defined terms in the
4 Maine Revised Statutes, Title 20-A, section 15603, which was
6 repealed by Public Law 2005, chapter 2. These terms are now
 defined in Title 20-A, section 15672. This section also corrects
 an internal cross-reference.

8 Section 17 corrects a cross-reference.

10 Section 18 corrects a cross-reference and an error in usage.

12 Section 19 changes a reference to the Secretary of State in
14 connection with lobbyist registration to a reference to the
 Commission on Governmental Ethics and Election Practices.

16 Section 20 corrects a numbering problem created by Public
18 Law 2005, chapters 394 and 400, which enacted 2 substantively
 different provisions with the same number.

20 Section 21 corrects the farm winery license name in the
22 section in the liquor laws establishing licensing fees. Public
24 Law 1993, chapter 730 changed the name from "Maine farm winery"
 to "farm winery."

26 Section 22 corrects a conflict created by Public Law 1997,
28 chapter 373, sections 157 and 158, which made technical changes
30 to the Maine Revised Statutes, Title 28-A, section 2077-A, and
 Public Law 1997, chapter 501, section 5, which repealed the same
 provision of law, by repealing section 2077-A.

32 Section 23 corrects a conflict created by Public Law 2005,
34 chapters 12 and 441, which affected the same provision of law, by
 incorporating changes made by both laws.

36 Section 24 corrects a grammatical error and cross-references
 to the definition of state share percentage.

38 Public Law 2005, chapter 397, Part D, section 3 directs the
40 Revisor of Statutes to replace "vocational education" with
42 "career and technical education," and section 25 changes a
44 reference to Associate Commissioner of the Bureau of the
 Vocational Education to the Department of Education to reflect
 the change.

46 Section 26 enacts the Maine Revised Statutes, Title 34-A,
48 section 3001-A to correct an improper repeal and replacement of
50 Title 34-A, section 3002 by Public Law 2005, chapter 216. This
 section also includes a correction made by Public Law 2005,
 chapter 488.

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