

MAINE STATE LEGISLATURE

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STATE OF MAINE
ONE HUNDRED AND ELEVENTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON
Judiciary

BILL SUMMARY



JULY, 1983

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1656 AN ACT TO AUTHORIZE CREATION OF Carpenter PL 1983, C. 421
A HOUSING AUTHORITY OF THE (new draft LD
HOULTON BAND OF MALISEET IN- 1480)
DIANS

SUMMARY: Creates a tribal housing authority for the Houlton Band of Maliseet Indians.

1657 AN ACT TO PROVIDE THAT JOINT CUS- Hobbins PL 1983, c. 564
TODY BE AWARDED WHEN THE PARENTS (new draft LD
AGREE TO IT IN CHILD CUSTODY 480)(emergency)
CASES

SUMMARY: Amends current law to say that when parents agree to a joint custody arrangement, the court must award joint custody unless there is substantial evidence indicating joint custody should not be awarded. It also establishes a commission to further and more broadly study the issue of the custody of children in domestic relations cases. The commission is to report to the Legislature by February 1, 1984.

1658 AN ACT ESTABLISHING A COMMISSION Scarpino INDEF. PP
TO STUDY THE ISSUE OF THE CUSTODY (new draft LD
OF CHILDREN IN DOMESTIC RELATIONS 1475)
CASES

SUMMARY: Provisions of this bill were amended into LD 1657.

1659 AN ACT TO BAN METAL-PIERCING Paradis,E. PL 1983, c. 430
AMMUNITION (new draft LD
1238)

SUMMARY: Makes possession of metal-piercing ammunition, commonly known as KTW, a Class D crime.

1669 AN ACT TO REVISE CERTAIN SECTIONS Soule PL 1983, c. 441
OF THE PROBATE CODE (new draft LD
1219)

SUMMARY: If real estate is sold by a married person without the spouse's signature on the deed, the title might be clouded. To aid the marketability of that property, this law declares it to be "prima facie" evidence of a valid transfer to a "bona fide purchaser" when a deed has been stamped indicating that the real estate transfer tax has been paid, even if both signatures are not on the deed. This law also declares that any Maine property of a decedent, even a non-resident, is not subject to the spouse's elective share of the property if it was transferred for value before the decedent died.