

MAINE STATE LEGISLATURE

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**STATE OF MAINE
116TH LEGISLATURE**

FIRST REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
JUDICIARY**

JULY 1993

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**ONE HUNDRED AND SIXTEENTH LEGISLATURE
FIRST REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

JULY 1993

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. All adopted amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

PUBLIC XXX

P&S XXX

RESOLVE XXX

CON RES XXX

EMERGENCY

CARRIED OVER

ONTP

ENACTMENT FAILED

INDEF PP

FAILED EMERGENCY ENACTMENT

FAILED MANDATE ENACTMENT

DIED BETWEEN BODIES

CONF CMTE UNABLE TO AGREE

VETO SUSTAINED

UNSIGNED

DIED ON ADJOURNMENT

Chapter # of enacted Public Law

Chapter # of enacted Private & Special Law

Chapter # of enacted Resolve

Chapter # of Constitutional Resolution passed by both Houses

Enacted law takes effect sooner than 90 days

Bill carried over to Second Session

Ought Not to Pass report accepted

Bill failed to get majority vote

Bill Indefinitely Postponed

Emergency bill failed to get 2/3 vote

Bill imposing local mandate failed to get 2/3 vote

House & Senate disagree; bill died

Committee of Conference formed but unable to agree

Legislature failed to override Governor's Veto

Not signed by Governor within 10 days

Action incomplete when session ended; bill died

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin.

If you have any suggestions or comments on these summaries, please let us know.

4693NRG

LD 756 An Act to Clarify the Child and Family Services and Child Protection Act ONTP

| SPONSOR(S) | COMMITTEE REPORT | AMENDMENTS ADOPTED |
|-------------------|-------------------------|---------------------------|
| FAIRCLOTH | ONTP | |

SUMMARY

The bill would have required the court to determine when intervention will occur in child protection cases and would allow intervention only when the court determines that the intervention is in the child's best interests.

LD 763 An Act to Provide a Remedy for a Violation of the Lead Poisoning Control Act CARRIED OVER

| SPONSOR(S) | COMMITTEE REPORT | AMENDMENTS ADOPTED |
|-------------------|-------------------------|---------------------------|
| CONLEY | | |

SUMMARY

The bill makes a violation of the Lead Poisoning Control Act prima facie evidence of an unfair trade practice in a court action that is limited to seeking equitable relief.

LD 764 An Act to Determine Eligibility of Child for Benefits PUBLIC 248

| SPONSOR(S) | COMMITTEE REPORT | AMENDMENTS ADOPTED |
|-------------------|-------------------------|---------------------------|
| BEGLEY | OTP-AM | S-161 |

SUMMARY

The bill requires parents to file affidavits with the court regarding income and assets for child support determination not only prior to final protection hearings under Title 22, section 4035, but also prior to hearings on preliminary protection orders, Title 22, section 4034, and motions for review, Title 22, section 4038, unless current information is already on file with the court. The bill also requires parents to provide information to the department when their child has been ordered into the custody of the Department of Human Services in a child protection proceeding, Title 22, chapter 1051, in a divorce proceeding, Title 19, chapter 13, or a juvenile proceeding, Title 15, chapter 507, so that the department can determine whether the child is eligible for federal, state or other 3rd-party benefits and also requires the parent to provide any necessary authorization for the department to apply for any benefits for which the child may be eligible.

Committee Amendment "A" (S-161) lengthens to 30 days the amount of time within which parents must provide the required information.

LD 767 An Act to Expand the Definition of Escape PUBLIC 440

| SPONSOR(S) | COMMITTEE REPORT | AMENDMENTS ADOPTED |
|---------------------|-------------------------|---------------------------|
| KIEFFER LARRIVEE | OTP-AM | S-197 |

SUMMARY

The bill specifies that a person who is on furlough is guilty of escape if that person intentionally goes to a location other than that allowed by the terms of the furlough.