

# 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:

<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>P&amp;S XXX</i>	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of enacted Resolve</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>CARRIED OVER</i>	<i>Bill carried over to Second Session</i>
<i>ONTP</i>	<i>Ought Not to Pass report accepted</i>
<i>ENACTMENT FAILED</i>	<i>Bill failed to get majority vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>FAILED EMERGENCY ENACTMENT</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>DIED BETWEEN BODIES</i>	<i>House &amp; Senate disagree; bill died</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference formed but unable to agree</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>
<i>UNSIGNED</i>	<i>Not signed by Governor within 10 days</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>

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.

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**LD 1124**      **An Act to Amend the Laws Governing Desertion and Nonsupport**      ONTP

**SPONSOR(S)**      **COMMITTEE REPORT**      **AMENDMENTS ADOPTED**  
TITCOMB      ONTP

**SUMMARY**

The bill would have amended the laws governing administrative enforcement of child support orders to require that the notice provided by the Department of Human Services to obligors must include provisions specifying the proper course for assertion of equitable defenses. The bill would have provided for a stay of the administrative hearing for 60 days pending a court hearing.

**LD 1133**      **An Act to Implement the Recommendations of the Criminal Law Advisory Commission Regarding Revisions to the Maine Criminal Code**      PUBLIC 184

**SPONSOR(S)**      **COMMITTEE REPORT**      **AMENDMENTS ADOPTED**  
CONLEY      OTP

**SUMMARY**

The bill clarifies the authority of the Criminal Law Advisory Commission to submit legislation at the start of each session.

**LD 1137**      **An Act to Amend the Maine Business Corporation Act**      PUBLIC 302

**SPONSOR(S)**      **COMMITTEE REPORT**      **AMENDMENTS ADOPTED**  
CONLEY      OTP-AM      S-192

**SUMMARY**

The bill authorizes corporations in the State with more than 20 shareholders to issue uncertificated shares while preserving the right of shareholders to obtain certificates upon request. The bill also makes clear that underwriters participating in good faith in a firm commitment underwriting are not within the definition of a controlling person under the Maine Revised Statutes, Title 13-A, section 910.

Committee Amendment "A" (S-192) removes those sections from the bill authorizing corporations with more than 20 shareholders to issue uncertificated shares.

**LD 1142**      **An Act to Provide Victims of Medical Injury Access to Information**      ONTP

**SPONSOR(S)**      **COMMITTEE REPORT**      **AMENDMENTS ADOPTED**  
GWADOSKY      ONTP

**SUMMARY**

The bill would have allowed a victim of medical injury the opportunity to participate in medical peer review related to the injury and to receive a complete legible copy of the hospital incident report reporting the medical injury. It would have repealed a section of law that shields from disclosure, discovery, court subpoena and introduction into evidence certain confidential information received by the Board of Registration in Medicine or the Board of Osteopathic Examination and Registration.