

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&S XXX</i>	<i>Chapter # of enacted Private & 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 & 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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promptly acts to correct any noncompliance. Accordingly, the bill would have provided an affirmative defense to a knowing violation of the air and water pollution laws for those persons who promptly notify the department of the violation and take steps to remedy it.

LD 1331 **An Act Regarding Trafficking of Drugs in Homes
in Which Children Live** ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
BERUBE	ONTP	

SUMMARY

The bill would have made trafficking in scheduled drugs aggravated trafficking or furnishing scheduled drugs if, at the time of the offense, the actor is in or on the premises of a dwelling in which a minor resides. The aggravated offense is a crime that is one class more serious than the trafficking would otherwise be.

LD 1334 **An Act to Amend the Maine Civil Rights Act Regarding
Violations of Constitutional Rights** PUBLIC 379

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
LAWRENCE	OTP-AM	S-218 S-264 LAWRENCE

SUMMARY

The bill establishes a right of a person to be free of violence or property damage motivated by bias for purposes of the Maine Civil Rights Act and the Maine Revised Statutes, Title 17, section 2931.

Committee Amendment "A" (S-218) adds a fiscal note.

Senate Amendment "A" (S-264) includes the factor of physical or mental disability that is included in the Maine Human Rights Act, but was omitted in the original bill.

LD 1337 **An Act to Clarify Child Support Laws** PUBLIC 357
EMERGENCY

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
COTE	OTP-AM	H-510

SUMMARY

The bill clarifies the procedures of the expedited paternity action and improves the notice received by alleged fathers when the State is requesting a default judgment because the father has refused to respond to the State's efforts to determine paternity. The bill also gives the court discretion in a paternity action to make an initial allocation of parental rights and responsibilities.

Committee Amendment "A" (H-510) rewrites the section of the bill allowing courts in paternity actions to award or allocate parental rights and responsibilities to make clear that the Department of Human Services and the Department of the Attorney General do not represent either party with regard to parental rights and responsibilities. The amendment deletes sections of the bill concerning notice to defaulting putative fathers and when defenses can be raised in paternity actions. The amendment clarifies the