

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.

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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 ONTP
in Which Children Live

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 PUBLIC 379
Violations of Constitutional Rights

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