

MAINE STATE LEGISLATURE

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**STATE OF MAINE
116TH LEGISLATURE**

SECOND REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
JUDICIARY**

MAY 1994

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

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

MAY 1994

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, 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

ONTP

INDEF PP

FAILED ENACTMENT

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

Ought Not to Pass report accepted

Bill Indefinitely Postponed

Bill failed to get majority vote

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 unable to agree; bill died

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

5581LHS

LD 1952 Resolve, to Develop a Career Criminal Act

ONTP

SPONSOR(S)
PLOWMAN**COMMITTEE REPORT**
ONTP**AMENDMENTS ADOPTED****SUMMARY**

This resolve would have directed the Criminal Law Advisory Commission to develop a Career Criminal Act.

LD 1967 An Act to Amend the Probate Code to Provide Greater Due Process in Guardianship and Conservatorship Cases

PUBLIC 652

SPONSOR(S)
COTE**COMMITTEE REPORT**
OTP-AM**AMENDMENTS ADOPTED**
H-937**SUMMARY**

This bill requires that a visitor, guardian ad litem or attorney be appointed for the person alleged to be incapacitated in every guardianship or conservatorship proceeding. The bill also provides for increased notice and opportunities for challenge to an action for appointment of a temporary guardian or conservator.

COMMITTEE AMENDMENT "A" (H-937) corrects the title of the bill and adds a fiscal note and cross-reference changes.

LD 1974 An Act to Change the Maine Tort Claims Act Regarding Liability with Respect to Certain Vehicles, Machinery and Equipment

ONTP

SPONSOR(S)
BAILEY R**COMMITTEE REPORT**
ONTP**AMENDMENTS ADOPTED****SUMMARY**

This bill would have provided, under the Maine Tort Claims Act, that governmental entities are not required to defend or indemnify an employee for a claim that arises from the use of a vehicle not owned or leased by the governmental entity.

A similar provision was included in the budget bill imposing liability on an employee of a governmental entity or the owner of a vehicle used for governmental purposes if there is insurance that provides primary coverage. See Public Law 1993, chapter 707, section G-8.

LD 1976 An Act Relating to PardonsPUBLIC 665
EMERGENCY**SPONSOR(S)**
CONLEY**COMMITTEE REPORT**
OTP-AM**AMENDMENTS ADOPTED**
S-496**SUMMARY**

This bill allows certain persons pardoned by the Governor to apply to the State Bureau of Identification after 10 years and if the person has not been convicted of another crime to arrange to have references to the pardoned crime deleted from the Federal Bureau of Identification's identification record.

COMMITTEE AMENDMENT "A" (S-496) adds an emergency clause and preamble and a fiscal note.