

MAINE STATE LEGISLATURE

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
120TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 864, L.D. 1136, Bill, "An Act to Treat All Children with Dignity"

Amend the bill by striking out everything after the enacting clause and inserting in its place the following:

'Sec. 1. 14 MRSA §711 is repealed.

Sec. 2. 18-A MRSA §3-817, sub-§(a), as enacted by PL 1979, c. 540, §1, is amended to read:

(a) No personal action or cause of action shall-be is lost by the death of either party, but the same shall-survive survives for and against the personal representative of the deceased, except that actions or causes of action for the recovery of penalties and forfeitures of money under penal statutes and proceedings-in-bastardy-cases-shall do not survive the death of the defendant. A personal representative may seek relief from a judgment in an action to which the deceased was a party to the same extent that the deceased might have done so.'

SUMMARY

This amendment replaces the bill. It repeals a section dealing with warrants issued pursuant to bastardy actions and removes a reference to bastardy cases in the Probate Code. The statutes governing bastardy actions, which were used to require the father of a child born out wedlock to support the child, were repealed and replaced by the Uniform Act on Paternity in 1967. There is no longer any reason to include any reference to bastardy actions in the statutes.

COMMITTEE AMENDMENT