

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON  
JUDICIARY  
BILL SUMMARY



JUNE 1987

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ONE HUNDRED AND THIRTEENTH LEGISLATURE  
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE  
BILL SUMMARIES  
JUNE 1987

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 summaries are arranged by LD number under each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor if it is a floor amendment or the designation "COMMITTEE" if it is a committee amendment.

Final action for each bill is listed to the right of the title. If final House action and Senate action differ, both are listed.

Please let us know if you would prefer a different format or additional information and if the summaries are helpful.

Key to Committee Reports and Floor Action:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-A	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

formula to be applied by a court in determining the amount of the support awarded and also included the criteria to be considered by the court in applying the formula in an attempt to promote uniformity of awards throughout the state.

**LD 1346** AN ACT TO AMEND THE MAINE TORT CLAIMS ACT PL 1987  
RELATING TO PERSONAL LIABILITY OF EMPLOYEES c. 110  
OF A GOVERNMENTAL ENTITY

Sponsor: HOGLUND, Brannigan, Allen, Rand  
Committee Report: New Draft of LD 261

SUMMARY: The bill amends a section of the Tort Claims Act to make it clear that that section, 14 MRSA §8103 (3), does not establish an independent statutory basis for liability. The bill also limits the liability for negligence of employees of governmental entities acting within the course and scope of their employment to \$10,000. This limit applies to all claims based on negligence.

**LD 1348** AN ACT TO AMEND THE MARRIAGE PROHIBITIONS BASED ON CONSANGUINITY PL 1987  
ON CONSANGUINITY c. 126

Sponsor: MARTIN, J., Paradis, J.  
Committee Report: New Draft of LD 543  
Amendments Adopted:  
H-90 HOUSE

SUMMARY: The new draft permits first cousins to marry if they receive genetic counseling from a physician. A physician's certificate of receipt of such counseling must be provided by first cousins to the town clerk at the time of recording of their marriage intentions. The clerk may not issue a marriage license to first cousins unless the clerk has received the required physician's certificate.

**LD 1349** AN ACT RELATING TO ENFORCEMENT OF ACCESSIBILITY STANDARDS FOR PLACES OF PUBLIC ACCOMMODATIONS PL 1987  
c. 112

Sponsor: ANDREWS, Gauvreau, Warren, Paradis, P.  
Committee Report: New Draft of LD 282

SUMMARY: The bill amends the Human Rights Act to require that the builder of a public accommodation obtain a certification from a design professional that the facility meets certain standards of construction to make the building accessible to the physically handicapped. The standards of construction referred to in the bill are the 1986 standards adopted under Title 25, chapter 331 pertaining to accessible routes, doors, toilet stalls, and