

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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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

tactile warnings on doors to hazardous areas. "Public accommodations" covers places constructed as public accommodations on or after January 1, 1988, and the remodeling of public accommodations after that date where the remodeling cost exceeds \$150,000. If a municipality inspects buildings for compliance with construction standards, it must inspect a public accommodation for compliance with the standards of construction for access by the physically handicapped. When such an inspection takes place, the municipality may not permit the facility to be occupied unless it is in compliance with the standards of construction.

LD AN ACT RELATING TO THE UNIFORM LIMITED PARTNERSHIP ACT LVWD
1371

Sponsor: MARSANO, Warren, Conley
Committee Report: LVWD

SUMMARY: LD 1371 proposed to repeal and replace the current Uniform Limited Partnership Act with the latest version approved by the National Conference of Commissioners on Uniform State Laws with certain amendments enacted by various other states which have adopted the new uniform act.

LD AN ACT RELATING TO PRIVATE CITIZENS BEING REIMBURSED BY LOCAL POLICE DEPARTMENTS IN CERTAIN PROSECUTIONS INDEF PP
1384

Sponsor: WARREN, Conley
Committee Report: OTP-A
Amendments Adopted:
H-202 COMMITTEE

SUMMARY: LD 1384 proposed to allow reimbursement to persons who are arrested in bad faith. If a person is found to be not guilty of any crime charged against him and the presiding judge also finds that the arresting officer knew that he had no legal right to make the arrest, the court could order the police department to reimburse the defendant for his costs of defending the case. The amount of reimbursement awarded under this bill would be deducted from any subsequent award received by the defendant in any civil action against the police officer or town that was based on the same facts.

The Committee Amendment (H-202) broadened the bill to include any law enforcement officer, whether state, county

or local, and limited the amount of reimbursement to a maximum of \$500. It also provided that any recovery under the bill would not be deducted from any subsequent civil judgment but would instead entirely bar any other civil action based on the same facts.

LD AN ACT RELATING TO THE RELOCATION OF THE PL 1987
1404 SOUTHERN DIVISION OF THE 10TH DISTRICT COURT c. 133

Sponsor: McPHERSON, Rolde
Committee Report: New Draft of LD 898

SUMMARY: The original bill proposed to relocate the District Court for the Southern Division of York County from the town of Kittery to the town of York.

The New Draft, LD 1404, permits the District Court to be relocated until February 1, 1989, to a site to be determined by the Chief Judge of the District Court. After that date, the District Court must be located in York.

LD RESOLVE, TO ESTABLISH THE COMMISSION TO STUDY INDEF PP
1405 ADOPTION LAWS AND PRACTICES

Sponsor: ANTHONY, Clark, M., Gill
Committee Report: New Draft of LD 837

SUMMARY: The new draft sought to create a commission to undertake a review of all laws and rules relating to adoption and of the approaches to adoption taken by agencies, physicians, attorneys, probate judges, unwed pregnant teenagers, adoptees, birth parents, and adoptive parents.

LD AN ACT RELATING TO AGGRAVATED TRAFFICKING OR ND LD 1882
1414 FURNISHING SCHEDULED DRUGS UNDER THE MAINE
CRIMINAL CODE

Sponsor: TAYLOR, Higgins, Twitchell, Webster, C.
Committee Report: OTP-ND LD 1822, LD 1823

SUMMARY: The original bill proposes mandatory sentences for convictions based on the furnishing of or trafficking in scheduled drugs to persons under 16 years of age; the furnishing of or trafficking in scheduled drugs in, on, or within 1,000 feet of a school or campus; and the furnishing of or trafficking in scheduled drugs where the offender has previously been convicted of drug law violations. The bill also proposes making possession of cocaine a felony; broadening the hypodermic apparatus law by making it a crime to furnish, as well as traffic in, those devices, and increasing the penalty from a Class C felony to a Class B