

MAINE STATE LEGISLATURE

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STATE OF MAINE
113TH LEGISLATURE
SECOND REGULAR SESSION



BILL SUMMARY
JOINT STANDING COMMITTEE
ON
JUDICIARY

MAY 1988

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Sen. N. Paul Gauvreau
Sen. Henry W. Black

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Rep. Francis C. Marsano

* Denotes Chair

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**ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST & SECOND SPECIAL SESSIONS
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES
MAY 1988**

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 for floor amendments. Final action is listed to the right of the title. If final House and Senate action differ, both are listed. Committee Reports and Floor Action are indicated as follows::

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

Each individual summary was prepared by the analyst assigned, as noted for each committee. But, this document was produced by the efforts of all the office staff, including Secretaries: Charlene Brann, Janet Jean, Earl Knox, Valarie Parlin; Research Assistant Hartley Palleschi. Finally, Secretary Laurette Knox, Legal Assistant Carolyn Chick, and Research Assistant Robert Dunn had special responsibilities in the preparation of the overall document.

Please give us your suggestions and comments on these summaries and tell us of any inaccuracies.

SPONSOR(S)
PEARSON
CASHMAN

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
S-373

SUMMARY

LD 2248 extended the description of the Penobscot Indian Reservation in the Maine Indian Land Claims Settlement Act to include land to be obtained from Bangor Hydro-electric Co. in exchange for present reservation land to be flooded by a new dam.

Committee Amendment "A" (S-373) stripped the emergency from the LD and added the necessary certification clause.

LD An Act to Study Alternative Dispute Resolution in the
2249 Superior Court

P & S
121

SPONSOR(S)
BRANNIGAN

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
S-508 PEARSON

FOSTER
ALLEN
MURPHY T

SUMMARY

The bill requires the Judicial Council to carry out a pilot program extending the process of mediation to Superior Court civil cases. The program will commence on September 1, 1988 and terminate on March 1, 1990. The council will submit a final report to the Legislature accompanied by its recommendations, including any necessary implementing legislation, no later than July 1, 1990.

LD An Act to Revise the Procedures for Enforcing Money
2285 Judgments

LV/WD

SPONSOR(S)
MARTIN J
PARADIS P

COMMITTEE REPORT
LV/WD

AMENDMENTS ADOPTED

SUMMARY

LD 2285 proposed minor technical changes to the law enacted last session regarding the disclosure process in enforcing court judgments and proposed 2 substantive revisions. It proposed to eliminate the requirement that an execution be filed with the disclosure subpoena if judgment had been entered by the same court. It also proposed to remove the requirement that a creditor file an affidavit with the court stating that the creditor knows of no good reason why a debtor has failed to appear in order to have a civil order of arrest issued or to have the debtor served with a contempt subpoena.