

MAINE STATE LEGISLATURE

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**STATE OF MAINE
114TH LEGISLATURE
FIRST REGULAR SESSION**



**BILL SUMMARY
JOINT STANDING COMMITTEE
ON
LEGAL AFFAIRS**

JULY 1989

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ONE HUNDRED AND FOURTEENTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE
BILL SUMMARIES
AUGUST 1989

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 for 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 abbreviated 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 Research Assistant Barbara McGinn, and secretaries: Charlene Brann, and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

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

LD 62 **Resolve, to Require the Manufactured Housing Board to
Develop a Manufactured Housing Installation Standard
(Reported Pursuant to P & S Laws of 1987, Chapter 139)**

**RESOLVE 26
EMERGENCY**

SPONSOR(S)

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-263

SUMMARY

This bill implements interim recommendations of the Commission on Manufactured Housing. This resolve deals with development of a manufactured housing installation standard.

This resolve requires the Manufactured Housing Board to contract with an engineer to develop a manufactured housing installation standard appropriate to Maine's climatic and geophysical characteristics. The engineering complete, the resolve directs the board to adopt the standard pursuant to APA rulemaking. The resolve allocates funds to the board to purchase consulting services needed to develop the installation standard.

The resolve requires the board, having adopted the rule, to survey industry compliance and report its findings to the 114th Legislature no later than December 30, 1990.

The resolve also requires the board to examine a number of other issues related to the installation of mobile homes: the need to protect the ability of an owner to transfer a mobile home from one park to another; the relationship of Maine State Housing Authority financing standards to installation requirements; the possibility and desirability of exempting existing installations; and state preemption of local regulation of manufactured housing installation standards. The resolve requires the board to report its recommendation on the preemption issue to the Commission on Manufactured Housing by July 30, 1989.

**LD 75 Resolve, Authorizing Lorraine Gray to Sue the State for
Compensation for Losses Allegedly Suffered as a Result of
Claims of Child Abuse Instituted by the State**

RESOLVE 56

SPONSOR(S)

ROLDE
MURPHY
SHELTRA
PLOURDE

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-243

SUMMARY

This resolve authorizes Lorraine Gray to sue the State and individual DHA employees for damages. Lorraine Gray was accused by Department of Human Services personnel of child abuse sexual in nature. Her son was removed from her home and kept apart from her for a number of months. The department maintained that developmental irregularities exhibited by Gray's son were due to child abuse. Gray, and a physician who had treated the boy, maintained that the boy's problems were organic in nature. Gray prevailed over the department in the department's petition for a child protection order, issuance of which would have protracted the child's separation from her. A district court judge determined that the department failed to show that Gray had physically or sexually abused her child.

Committee amendment "A" allows Gray to sue DHS, but not its individual employees, for up to \$75,000.