

# MAINE STATE LEGISLATURE

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



**BILL SUMMARY  
JOINT STANDING COMMITTEE  
ON  
JUDICIARY  
JULY 1989**

**MEMBERS**

**Sen. Barry J. Hobbins \***  
**Sen. N. Paul Gauvreau**  
**Sen. Muriel D. Holloway**

**Rep. Patrick E. Paradis \***  
**Rep. Constance D. Cote**  
**Rep. Gerard P. Conley, Jr.**  
**Rep. Patricia M. Stevens**  
**Rep. Cushman D. Anthony**  
**Rep. Susan Farnsworth**  
**Rep. Mary H. MacBride**  
**Rep. Dana C. Hanley**  
**Rep. Peter G. Hastings**  
**Rep. John H. Richards**

**\* Denotes Chair**

**Staff: Margaret J. Reinsch, Legislative Analyst**

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HARTLEY PALLESCHI, JR., RES. ASST

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.

Committee Amendment "A" (H-375) retitled the bill and replaced the text of the bill. It extends the statute of limitations for civil actions to 3 years after the person discovers or reasonably should have discovered the abuse.

**LD 328**

**An Act to Clarify the Applicability of the Maine Tort Claims Act to the Consumer Advisory Board**

**PUBLIC 349**

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
GILL CARROLL D BERUBE PENDLETON	OTP-AM	S-162

SUMMARY

The bill did 3 things. In section 1, it prohibited payment of claims (of up to \$2,000) by a department unless the State would be liable if it were a private entity. Section 2 of the bill included the Consumer Advisory Board, established in the Pineland Consent Decree, under the Maine Tort Claims Act. Section 3 set out the responsibilities of the Consumer Advisory Board in statute.

Committee Amendment "A" (S-162) deleted Section 1 of the bill.

**LD 337 An Act to Authorize the Supreme Judicial Court to Provide a Record of Court Proceedings**

**LV/WD**

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
HOBBINS	LV/WD	

SUMMARY

This bill would have left how reviewable records of all court proceedings are produced (i.e., stenographer, electronic or otherwise) to the determination of the Supreme Judicial Court.

**LD 342 An Act to Amend the Uniform Partnership Act with Regard to Partnership Title in Real Estate**

**PUBLIC 120**

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
HOBBINS PARADIS P	OTP-AM	S-48

SUMMARY

The bill vests legal title to real estate in the partnership when the property was acquired in the partnership name, even if that property had been acquired before the effective date of the Uniform Partnership Act.

Committee Amendment "A" (S-48) revises the notice period for individual partners to preserve any separate interests that they may hold in the real estate.