

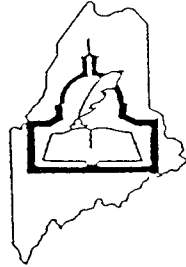
MAINE STATE LEGISLATURE

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STATE OF MAINE
114TH LEGISLATURE
SECOND REGULAR SESSION



BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
JUDICIARY

JUNE 1990

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**One Hundred and Fourteenth Legislature
Second Regular Session**

**Joint Standing Committee
Bill Summaries**

June 1990

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. Committee Reports and Floor Action are abbreviated as follows:

OTP
OTP-ND
OTP-ND-NT
OTP-A
ONTP
LVWD
INDEF PP

Ought to Pass
Ought to Pass in New Draft
Ought to Pass in New Draft, New Title
Ought to Pass as Amended
Ought Not to Pass
Leave to Withdraw
Indefinitely Postponed

Each individual summary was prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond, 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.

SPONSOR(S)
ANTHONY
HOBBINS
RICHARDS

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-1079

SUMMARY

The bill established child support guidelines to comply with federal mandates, incorporating the guidelines adopted by the Supreme Judicial Court by rule.

Committee Amendment "A" (H-1079) clarifies provisions and makes the guidelines applicable to all administrative proceedings as well.

SPONSOR(S)
HOLT

COMMITTEE REPORT
LV/WD

AMENDMENTS ADOPTED

SUMMARY

This bill provided that generators of low-level radioactive waste are liable for damages due to accidents that cause injury to persons, the environment or property within the State during the hazardous life of that waste.

SPONSOR(S)
BAILEY
HANLEY
MATTHEWS

COMMITTEE REPORT
LV/WD

AMENDMENTS ADOPTED

SUMMARY

The bill expanded the definition of trafficking to include allowing the use of a building for trafficking. It allowed for the aggregation of weights of drugs confiscated in a 48-hour period to establish the class of the crime. It expanded the crime of aggravated trafficking to include involving a juvenile in trafficking. It amended the definition of "good moral character" in the concealed firearms permit law to cover drug convictions within the last 5 years.

Incorporated into Joint Order Bill, LD 2474.

SPONSOR(S)
RICHARDS
HEPBURN
LUDWIG
COTE

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-1057

SUMMARY

The bill provided for the forfeiture of real property on which 100 or more marijuana plants are

cultivated. It also categorized the crime of trafficking based on the number of marijuana plants cultivated. It repealed the existing civil law on marijuana possession, replacing it with language in the Criminal Code making possession a Class E crime if the person operates or is in a motor vehicle or has a previous adjudication or conviction for marijuana possession. The bill required suspension of the drivers' license of any person convicted of a drug crime involving a motor vehicle and of any person adjudicated to have committed a juvenile drug crime or of a drug crime while under age 18. It also allowed the Maine National Guard to assist in drug enforcement under an ongoing executive order.

Committee Amendment "A" (H-1057) retains the provisions of the bill regarding trafficking classes and the National Guard. It also provides authority for the court to suspend the drivers' license of a juvenile for any violation of the drug laws.

LD 2391 **An Act to Provide for Immediate Income Withholding and a Plan for Periodic Review and Adjustment of Child Support Awards in Support Enforcement Cases of the Department of Human Services** **PUBLIC 877**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
DELLERT	OTP-AM	H-1088
HASTINGS		H-1100 ANTHONY
RIDLEY		
DUTREMBLE D		

SUMMARY

The bill, in Part A, provided for immediate income withholding for Title IV-D child support awards; in Part B, established a state plan for review of support awards; and, in Part C, incorporated performance and audit requirements for paternity cases.

Committee Amendment "A" (H-1088) deletes the provisions regarding paternity, modifies the provisions on immediate income withholding and requires DHS to adopt, in consultation with Pine Tree Legal Assistance, the Maine State Bar Association and the Judiciary, a plan for review of child support awards.

House Amendment "A" to Committee Amendment "A" (H-1100) deletes the provisions allowing employers to deduct a processing fee and requires that failure to comply must be knowing before penalties apply.

LD 2399 **An Act to Ensure Timely and Equitable Treatment of Discrimination Complaints Made to the Maine Human Rights Commission** **LV/WD**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
CLARK N	LV/WD	
GAUVREAU		
HANDY		
PINEAU		

SUMMARY

The bill established a time frame for the informal conciliation efforts in employment discrimination cases as mandated by the Maine Human Rights Commission laws.