

MAINE STATE LEGISLATURE

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**STATE OF MAINE
115TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
JUDICIARY**

AUGUST 1991

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**ONE HUNDRED AND FIFTEENTH LEGISLATURE
FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION
JOINT STANDING COMMITTEE
BILL SUMMARIES
AUGUST 1991**

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 volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H - 584 or S - 222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

PUBLIC XXX	<i>Chapter # of enacted Public Law</i>
P&S XXX	<i>Chapter # of enacted Private & Special Law</i>
RESOLVE XXX	<i>Chapter # of enacted Resolve</i>
CON RES XXX	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
EMERGENCY	<i>Enacted law takes effect sooner than 90 days</i>
CARRIED OVER	<i>Bill carried over to 2nd Session</i>
FAILED EMERGENCY ENACTMENT	<i>Bill failed to get 2/3 vote</i>
ONTP	<i>Ought Not to Pass report accepted</i>
LVWD	<i>Leave to Withdraw report accepted</i>
INDEF PP	<i>Bill Indefinitely Postponed</i>
DIED BETWEEN BODIES	<i>House & Senate disagree; bill died</i>
VETO SUSTAINED	<i>Legislature failed to override Governor's Veto</i>
UNSIGNED	<i>Not signed by Governor within 10 days</i>
DIED ON ADJOURNMENT	<i>Action incomplete when 1st session ended</i>

These summaries were 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.

If you have any suggestions or comments on these summaries, please let us know.

SPONSOR(S)
BRAUN
PFEIFFER

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
S-236

SUMMARY

This bill revises the definition of "compulsion" in the context of gross sexual assaults, such as rapes. This definition protects those victims who submit to the assault because of the physical force used or because of the threat of the use of physical force.

Committee Amendment "A" (S-236) revises the definition of "compulsion" to clarify that the term places no duty on the victim to resist the actor.

LD 546**An Act to Allow the Maine Human Rights Commission to Recover Litigation Costs****LV/WD**

SPONSOR(S)
GAUVREAU

COMMITTEE REPORT
LV/WD

AMENDMENTS ADOPTED

SUMMARY

The bill would have allowed the Maine Human Rights Commission to recover costs if it is the prevailing party in civil litigation under the Maine Human Rights Act.

LD 548**An Act to Exempt Telephone Workers Engaged in Certain Acts from the Workplace Manslaughter Laws****LV/WD**

SPONSOR(S)
EMERSON
VOSE
RICHARDS

COMMITTEE REPORT
LV/WD

AMENDMENTS ADOPTED

SUMMARY

The bill would have amended the workplace manslaughter law to exclude any employee of a telephone utility whose work involves installing, maintaining or restoring utility services.

LD 550**An Act to Clarify the Legislature's Intent Regarding Quitclaim Deeds****PUBLIC 245**

SPONSOR(S)
BERUBE

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
S-133

SUMMARY

The purpose of this bill is to make clear that Public Law 1975, chapter 474, section 1 applies retroactively to discharges of municipal tax lien mortgages given after October 1, 1935. Public Law 1975, chapter 474, section 1 became effective on October 1, 1975 and it was unclear whether it applied to discharges executed prior to that date. This bill provides that section 1 applies retroactively to discharges given after October 1, 1935. The bill also provides retroactivity for the bill itself to October 1, 1975.

Committee Amendment "A" (S-133) replaces the bill and amends the statute to state in allocated law that the paragraph is retroactive to October 1, 1935.