

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)	COMMITTEE REPORT	AMENDMENTS ADOPTED
BAILEY H LUDWIG VOSE TOWNSEND	OTP-AM	H-509

SUMMARY

The bill expressly includes the enforcement of Passamaquoddy tribal law in the existing state court process for issuing arrest warrants and search warrants. An application for such a warrant could be made directly to a judge or justice of the peace or the state warrant could be issued on the basis of a tribal court warrant previously issued.

The bill makes clear that the Maine Human Rights Act is not inconsistent with the federal Equal Employment Opportunity Act in effect since 1965, which expressly permits an Indian preference in employment on or near Indian reservations, 42 United States Code, section 2000e-2(i).

Committee Amendment "A" (H-509) extends the scope of the bill to include offenses over which the Penobscot Nation has exclusive jurisdiction. The amendment also adds a section that allows judges of the District Court and justices of the peace to issue search warrants with respect to violations over which the Passamaquoddy Tribe or the Penobscot Nation has exclusive jurisdiction. The amendment also makes the effectiveness of the provision of the bill that amends the Maine Indian Claims Settlement Act contingent upon approval by the Passamaquoddy Tribe and the Penobscot Nation, as required under the terms of that Act.

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
PARADIS P BALDACCI CLARK N MARSANO	OTP-AM	H-651

SUMMARY

The bill establishes a new revised uniform limited partnership law. It is based on a combination of the Revised Uniform Limited Partnership Act, provisions from other states' limited partnership laws and the Maine corporate statutes.

Committee Amendment "A" (H-651) makes changes to the bill regarding names of limited partnerships, partners as creditors, indemnification of partners, mergers and consolidations, access to names of limited partners, liability for improper distributions, the application of new requirements to existing limited partnerships and increase the potential penalty the Secretary of State may assess.