

MAINE STATE LEGISLATURE

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STATE OF MAINE
116TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
JUDICIARY

JULY 1993

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**ONE HUNDRED AND SIXTEENTH LEGISLATURE
FIRST REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

JULY 1993

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.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. 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:

<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of enacted Resolve</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>CARRIED OVER</i>	<i>Bill carried over to Second Session</i>
<i>ONTP</i>	<i>Ought Not to Pass report accepted</i>
<i>ENACTMENT FAILED</i>	<i>Bill failed to get majority vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>FAILED EMERGENCY ENACTMENT</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference formed but unable to agree</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>
<i>UNSIGNED</i>	<i>Not signed by Governor within 10 days</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</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.

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

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LD 665 **An Act to Amend the Laws Governing Sexual Exploitation of Minors** ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
DIPIETRO AMERO	ONTP	

SUMMARY

The bill would have criminalized the possession of sexually explicit materials involving children.

LD 672 **An Act to Protect Private Property** CONF CMTE UNABLE TO AGREE

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
DEXTER	ONTP MAJ OTP-AM MIN	

SUMMARY

The bill would have required the State and its political subdivisions to pay property owners when state or local regulations lower the owner's property value by more than 50%.

Committee Amendment "A" (H-551) required an entity that adopts a law, rule, regulation or ordinance that denies all economically viable use of a parcel of real property to pay compensation to the owner of that property.

LD 673 **An Act to Amend the Probate Code Providing Duties of Registers of Probate** PUBLIC 148

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
FARNSWORTH	OTP-AM	H-195 MICHAUD

SUMMARY

The bill changes the word "administration" to the word "authority" in describing certain documents recorded by registers of probate. The bill also provides for an increase in certain filing and certification fees by registers of probate. Several grammatical changes are also made.

Committee Amendment "A" (H-195) updates current Probate Code language, provides a description of specific powers of registers of probate and removes all fee increases proposed by the bill.

LD 685 **An Act to Amend the Maine Human Rights Act to Include Provisions Concerning Employment Discrimination** PUBLIC 327

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
PARADIS J	OTP-AM	S-215

SUMMARY

The bill is patterned on a federal law that became effective in July, 1992, and provides full compensatory remedy for the victims of intentional discrimination in employment. It makes the following changes to the laws governing employment discrimination.

1. The bill expands the stated policy of the Maine Human Rights Act to include the prevention of discrimination in employment on account of work injury, occupational disease or the exercise of rights under the workers' compensation laws.
2. The bill specifies that, in civil cases in which a complaint with the Maine Human Rights Commission has been filed, the statute of limitations does not begin to run until the commission has finally disposed of the matter.
3. The bill specifies that, in civil actions in Superior Court in which discrimination is alleged to have occurred, the parties have a right to a jury trial and to compensatory damages including the value of past and future lost wages, past and future fringe benefits and attorney's fees.

Committee Amendment "A" (S-215) clarifies the language added to the policy statement in the Maine Human Rights Act to parallel the language currently contained in the provisions prohibiting unlawful discrimination. It strikes the provisions extending the statute of limitations and authorizing a jury trial and certain types of damages when intentional discrimination is alleged. It adds a provision permitting a complainant to receive attorney's fees and civil penal damages if the complainant brings a civil action when the Maine Human Rights Commission has issued a right-to-sue letter indicating that it has not filed an action or entered into a conciliation agreement within 180 days of a complaint being filed with the commission. The amendment also adds a fiscal note to the bill.

LD 712 An Act Concerning Disclosure of the Names of Criminal Suspects ONTP

SPONSOR(S) COLES	COMMITTEE REPORT ONTP	AMENDMENTS ADOPTED
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SUMMARY

The bill prohibits the disclosure of the identity of a suspect of a criminal investigation before arrest or charging.

LD 713 An Act to Exclude Law Enforcement Agencies in Cumberland County from the Laws Requiring a Single-warrant Repository ONTP

SPONSOR(S) LARRIVEE	COMMITTEE REPORT ONTP	AMENDMENTS ADOPTED
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SUMMARY

The bill would have exempted Cumberland County from the requirement for a single-warrant repository and would have provided that each law enforcement agency in Cumberland County must act as the repository for its own warrants.