

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

STATE OF MAINE
116TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
JUDICIARY

MAY 1994

Staff:

*Margaret J. Reinsch, Legislative Analyst
Julie S. Jones, Principal Analyst*

*Office of Policy and Legal Analysis
Room 101, State House Station 13
Augusta, ME 04333
(207)287-1670*

MEMBERS:

**Sen. Gerard P. Conley, Jr.
Sen. Georgette B. Berube
Sen. Dana C. Hanley*

**Rep. Constance D. Cote
Rep. Susan Farnsworth
Rep. Mary R. Cathcart
Rep. Andrew Ketterer
Rep. Edward L. Caron, Jr.
Rep. Sean F. Faircloth
Rep. Jane W. Saxl
Rep. David N. Ott
Rep. Sumner H. Lipman
Rep. Debra D. Plowman*

**Denotes Chair*

MARTHA E. FREEMAN, DIRECTOR
WILLIAM T. GLIDDEN, JR., PRINCIPAL ANALYST
JULIE S. JONES, PRINCIPAL ANALYST
DAVID C. ELLIOTT, PRINCIPAL ANALYST
MARION HYLAN BARR
JON CLARK
LISA COPENHAVER
DEBORAH C. FRIEDMAN
MICHAEL D. HIGGINS
JILL IPPOLITI



JOHN B. KNOX
ROY W. LENARDSON
PATRICK NORTON
JANE ORBETON
MARGARET J. REINSCH
PAUL J. SAUCIER
JOHN G. KELLEY, RESEARCHER
DARLENE A. SHORES LYNCH, RESEARCHER
CARRIE C. McFADDEN, RESEARCHER

STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107/135
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL: (207) 287-1670
FAX (207) 287-1275

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

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

MAY 1994

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, 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

P&S XXX

RESOLVE XXX

CON RES XXX

EMERGENCY

ONTP

INDEF PP

FAILED ENACTMENT

FAILED EMERGENCY ENACTMENT

FAILED MANDATE ENACTMENT

DIED BETWEEN BODIES

CONF CMTE UNABLE TO AGREE

VETO SUSTAINED

UNSIGNED

DIED ON ADJOURNMENT

Chapter # of enacted Public Law

Chapter # of enacted Private & Special Law

Chapter # of enacted Resolve

Chapter # of Constitutional Resolution passed by both Houses

Enacted law takes effect sooner than 90 days

Ought Not to Pass report accepted

Bill Indefinitely Postponed

Bill failed to get majority vote

Emergency bill failed to get 2/3 vote

Bill imposing local mandate failed to get 2/3 vote

House & Senate disagree; bill died

Committee of Conference unable to agree; bill died

Legislature failed to override Governor's Veto

Not signed by Governor within 10 days

Action incomplete when session ended; bill died

These summaries were prepared by the analyst or analysts assigned to the committee. If you have any suggestions or comments on the summaries, please let us know.

5581LHS

LD 1227

An Act to Define the Liability of Gas Utilities and Natural Gas Pipeline Utilities

ONTP

SPONSOR(S)
BUTLAND

COMMITTEE REPORT
ONTP MAJ
OTP-AM MIN

AMENDMENTS ADOPTED

SUMMARY

The bill would have provided for the allocation of liability involving gas or natural gas accidents. It would have repealed the current standard of strict liability and created a standard of care higher than ordinary due care.

The bill was carried over from the First Regular Session.

COMMITTEE AMENDMENT "A" (S-534) was the Minority Report. It would have replaced the bill by simply repealing the section of law establishing the strict liability of gas distributors. Not adopted.

LD 1243 An Act Concerning Sexual Abuse Laws

PUBLIC 717

SPONSOR(S)
CLARK

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-898

SUMMARY

The bill would have strengthened existing laws against sexual abuse of minors in several ways. Some provisions were adopted in the Committee Amendment to LD 1109 during the First Regular Session.

The bill was carried over from the First Regular Session.

COMMITTEE AMENDMENT "A" (H-898) replaces the bill. It elevates by one class each class of any unlawful sexual contact crime when the State pleads and proves that the crime included penetration of the genitals or anus, such as by insertion of a finger or a fist, directly or through clothing.

LD 1266 An Act to Allow a Casino to be Constructed by the Passamaquoddy Tribe in Calais for the Purpose of Gambling

ONTP

SPONSOR(S)
VOSE

COMMITTEE REPORT
ONTP

AMENDMENTS ADOPTED

SUMMARY

This bill would have required the Governor to negotiate with the Passamaquoddy Tribe for the purpose of entering into a compact to permit the tribe to conduct gaming in Calais under the federal Indian Gaming Regulatory Act. The bill also would have authorized the inclusion in Passamaquoddy Indian Territory of lands in Calais approved by the City Council for acquisition by the tribe.

This bill was carried over from the First Regular Session.

After extensive committee work on this bill, a joint order was introduced to authorize the committee to report out bills as House papers to avoid any risk of violating Article IV, Part 3, Section 9 of the Maine Constitution which requires that bills for raising a revenue must originate in the House.

See also LDs 1998, 1999, 2000 and 2010.