

MAINE STATE LEGISLATURE

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STATE OF MAINE
116TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
JUDICIARY

MAY 1994

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**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

SPONSOR(S)
SAXL**COMMITTEE REPORT**
OTP-AM**AMENDMENTS ADOPTED**
H-936**SUMMARY**

The bill required the Department of Human Services to report obligated parents to consumer reporting agencies when the parent is more than 90 days in arrears in paying current support or in making payments for past support. The department would have to notify parents that credit reports will be made and must give each parent at least 20 days to contest the accuracy of the information. Under current law, the department is authorized to report debts due to the department and is required to provide information about child support debts when requested by a consumer reporting agency.

The bill repealed the provisions adopted in Public Law 1993, chapter 410, Part V, that authorize the suspension, revocation and denial of professional and motor vehicle licenses for parents who owe child support.

COMMITTEE AMENDMENT "A" (H-936) replaces the bill and amends the title to more accurately reflect the effect of the bill as amended. It amends the two sections of law governing the procedures the Department of Human Services must follow to revoke professional and driver's licenses due to continuous default in payment of child support obligations. The amendment requires that the notice sent to delinquent child support obligors include a statement that the obligor can come into compliance with the child support order by making the appropriate payments. It also clarifies that although the law does not direct the hearing officer to determine issues other than those stated in the law, the obligor may raise any other issues, including the reasonableness of a payment agreement given the obligor's current circumstances. Raising other issues preserves them for appeal. New provisions are added to specifically state that if the department's decision after the hearing is appealed, the Superior Court may hear and determine any issues, not just those mentioned for determination in the hearing.

The amendment clarifies that after the department issues a decision after a hearing, it must wait at least 30 days before certifying to a licensing authority that the obligor is not in compliance with a child support order. This allows the obligor the opportunity to appeal the department's decision during the established appeal period.

The amendment corrects an error concerning certification to the Secretary of State.

LD 1742 An Act Concerning High-speed Chases

ONTP

SPONSOR(S)
BAILEY H**COMMITTEE REPORT**
ONTP MAJ
OTP-AM MIN**AMENDMENTS ADOPTED****SUMMARY**

The bill would have held both the owner and the operator of the vehicle liable for damages resulting from a high-speed chase. The owner of a vehicle involved in a high-speed chase would have committed a traffic infraction, although specific defenses would apply.

COMMITTEE AMENDMENT "A" (H-958) is the Minority Report. It deleted the provisions concerning liability for damages and revised the provisions pertaining to the defense based on theft of the vehicle.