

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

LD 1783 **Resolve, Establishing the People with Disabilities Access Commission**

RESOLVE 73
EMERGENCY

| SPONSOR(S) | COMMITTEE REPORT | AMENDMENTS ADOPTED |
|-------------------|-------------------------|-------------------------------------------------|
| FARNSWORTH | OTP-AM | H-1074 FARNSWORTH H-1111 FARNSWORTH H-894 |

SUMMARY

The original bill would have made changes to the Maine Human Rights Act to make state law consistent with the federal Americans with Disabilities Act of 1990. The intent of the bill was to ensure that by complying with the state law a person is in compliance with a law that is at least as stringent as the Americans with Disabilities Act of 1990 without diminishing the requirements of state law.

COMMITTEE AMENDMENT "A" (H-894) replaces the entire bill and created a study commission to review state and federal law and recommend changes needed to ensure that state law provides at least as much protection as federal law.

HOUSE AMENDMENT "A" TO COMMITTEE AMENDMENT "A" (H-1074) revises the duties of the study commission to emphasize construction standards and makes changes relating to the membership of the study commission. The amendment also adds an emergency clause and preamble.

HOUSE AMENDMENT "B" TO COMMITTEE AMENDMENT "A" (H-1111) removes a provision for legislative staff assistance with drafting and permits contracting for that purpose.

LD 1784 **An Act to Amend the Laws Regarding Protective Custody**

PUBLIC 596

| SPONSOR(S) | COMMITTEE REPORT | AMENDMENTS ADOPTED |
|-------------------|-------------------------|---------------------------|
| RYDELL | OTP-AM | H-896 |

SUMMARY

The original bill changed the standard for a law enforcement officer taking a person into custody for purposes of initiating the involuntary commitment process. Current law requires the law enforcement officer's decision to be based upon "personal observation." The bill changes that standard to "probable cause."

The COMMITTEE AMENDMENT (H-896) adds a provision that a person may be held for evaluation and treatment at a hospital if the required judicial endorsement is sought between the soonest hours of 7:00 a.m. and 11:00 p.m. Both provisions are repealed October 1, 1995.

LD 1787 **An Act to Promote Fairness in Investigation of Employee Misconduct**

ONTP

| SPONSOR(S) | COMMITTEE REPORT | AMENDMENTS ADOPTED |
|-------------------|-------------------------|---------------------------|
| FARNSWORTH | ONTP | |

SUMMARY

This bill would have permitted public and private employees to use otherwise confidential information in a labor relations proceeding if the information may prove exculpatory.