

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 1802 An Act to Adopt the Uniform Interstate Family Support Act

PUBLIC 690

SPONSOR(S)
FARNSWORTH

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-939

SUMMARY

The bill adopts the Uniform Interstate Family Support Act and repeals the Revised Uniform Reciprocal Enforcement of Support Act.

COMMITTEE AMENDMENT "A" (H-939) makes several changes to the original bill to conform the Uniform Interstate Family Support Act to current successful practices and procedures followed by the courts and the Department of Human Services with regard to enforcement of out-of-state support orders. It also ensures that federal requirements are met to qualify for federal matching funds. A significant change from the bill is to require that income-withholding orders issued in another state be implemented through the Department of Human Services, which is the current practice in Maine, rather than being sent directly to the payor of the obligor's income.

The amendment adds a Part B to the bill to amend current law concerning dismissals of paternity cases. The new language provides that dismissals of paternity actions must be without prejudice in all cases except when an adjudication on the merits has occurred or when the Department of Human Services is a party and consents to the dismissal with prejudice.

LD 1808 An Act Imposing a Mandatory Arrest Period in Cases of Domestic Violence

ONTP

SPONSOR(S)
HOGLUND

COMMITTEE REPORT
ONTP

AMENDMENTS ADOPTED

SUMMARY

The bill would have imposed an automatic 48-hour arrest period in domestic violence cases in which a protective order is violated.

LD 1809 An Act to Promote the Continued Use of Private Lands for Recreation

PUBLIC 622

SPONSOR(S)
MARTIN J
LAWRENCE

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-895

SUMMARY

The bill allows landowners and their agents to receive consideration in return for allowing others to use the land for recreational or harvesting activities and still retain the limitation of liability. Currently, that limitation of liability of a landowner is available only when no fee is charged or no consideration is paid, other than consideration paid by the State. The limitation on liability will not cover landowners who grant an exclusive right to use or exclusive lease to the premises, and then the premises are used primarily for commercial purposes.

COMMITTEE AMENDMENT "A" (H-895) clarifies that if a person uses a landowner's land to conduct commercial timber harvesting, the landowner does not benefit from the limitation of liability provided by the recreational use statute if that person is injured on the premises.