

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
117TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
JUDICIARY

AUGUST 1995

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Sen. Joan M. Pendexter  
Sen. Sean F. Faircloth*

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

**SUMMARY OF LEGISLATION BEFORE  
THE JOINT STANDING COMMITTEES**

**AUGUST 1995**

This document is a compilation of the bill summaries prepared by this office for the Joint Standing 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 publication, History and Final Disposition of Legislative Documents, is helpful in determining to which committee any particular bill was referred.

In this document, 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 categories of final action are abbreviated as follows:

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

These summaries were prepared by the analyst or analysts assigned to the committee. If more detailed information is needed on a bill, contact the committee analyst.

5581LHS

## Joint Standing Committee on Judiciary

**LD 12**      **An Act to Change the Meaning of Household Members Regarding Protective Orders between Family Members**      ONTP

**SPONSOR(S)**                      **COMMITTEE REPORT**                      **AMENDMENTS ADOPTED**  
DESMOND                              ONTP

### SUMMARY

This bill would have changed the definition of "family or household members" to include nonadult household members related by consanguinity or affinity for purposes of protective orders in crimes between family members. See LD 769.

**LD 19**      **An Act to Change the Statute of Limitations for Professional Negligence in Sterilization Procedures**      ONTP

**SPONSOR(S)**                      **COMMITTEE REPORT**                      **AMENDMENTS ADOPTED**  
RICHARDSON                              ONTP  
MILLS

### SUMMARY

This bill would have changed the statute of limitations for medical malpractice actions to allow a suit to be brought within 3 years of the discovery that a sterilization procedure has failed. Currently, the statute begins to run from the date the procedure is performed. See LD 526.

**LD 30**      **An Act to Increase the Amount of Forfeited Bail That a District Attorney May Retain in the District Attorney's Extradition Account**      ONTP

**SPONSOR(S)**                      **COMMITTEE REPORT**                      **AMENDMENTS ADOPTED**  
POVICH                                      ONTP  
CASSIDY

### SUMMARY

This bill would have increased the amount of forfeited bail that a district attorney may retain in the district attorney's Extradition Account. See LD 82.

**LD 42**      **An Act to Institute Loser-pay Litigation in the State of Maine**      ONTP

**SPONSOR(S)**                      **COMMITTEE REPORT**                      **AMENDMENTS ADOPTED**  
CLUKEY                                      ONTP

### SUMMARY

This bill would have required that the losing party in civil litigation pay the reasonable attorney's fees of the prevailing party.