

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
117TH LEGISLATURE**

**FIRST REGULAR SESSION**

**BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
JUDICIARY**

**AUGUST 1995**

**MEMBERS:**

*\*Sen. S. Peter Mills  
Sen. Joan M. Pendexter  
Sen. Sean F. Faircloth*

*\*Rep. Sharon Treat  
Rep. William Lemke  
Rep. Fred L. Richardson  
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Rep. Elizabeth Watson  
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Rep. Robert R. Hartnett  
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Rep. Richard A. Nass  
Rep. Frederick Moore III*

**Staff:**

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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:

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

**LD 914**

**An Act to Fully Fund the Maine Human Rights Commission and the Civil Rights Unit in the Attorney General's Office**

INDEF PP

**SPONSOR(S)**  
MCCORMICK

**COMMITTEE REPORT**  
OTP-AM MAJ  
ONTP MIN

**AMENDMENTS ADOPTED**  
S-98

**SUMMARY**

This bill would have provided General Fund appropriations to the Department of the Attorney General for civil rights and hate crimes enforcement and to the Maine Human Rights Commission for enforcement of the Maine Human Rights Act.

COMMITTEE AMENDMENT "A" (S-98) replaced the bill. It would have reduced the General Fund appropriation for one research assistant and some additional expenses in the Department of the Attorney General in anticipation of 2 federal grants. This amendment also would have reduced the appropriation to the Maine Human Rights Commission to restore a total of 2 1/2 field investigator positions, one staff attorney position and one clerk typist III position.

**LD 916**

**An Act to Improve the Function of the Maine Health Security Act**

CARRIED OVER

**SPONSOR(S)**  
MILLS

**COMMITTEE REPORT**

**AMENDMENTS ADOPTED**

**SUMMARY**

This bill proposes to make the following changes to the law governing mandatory prelitigation screening and mediation panels.

1. It proposes to provide that if a panel motion hearing has not concluded within 9 months of service of the notice of claim, the claimant may bypass panel proceedings and commence a lawsuit.
2. It proposes to revise the specific findings on negligence and causation required by the panel at the conclusion of its deliberations.
3. It proposes to amend the conditions under which the findings of the panel are admissible in subsequent court actions.

**LD 954**

**An Act to Limit Liability for Farm Pick-your-own Operations**

ONTP

**SPONSOR(S)**  
KILKELLY

**COMMITTEE REPORT**  
ONTP

**AMENDMENTS ADOPTED**

**SUMMARY**

This bill would have limited the liability of farm pick-your-own operations. Owners, operators or employees of those operations would not be liable for injury, death or damage to property unless they engage in willful, wanton or reckless conduct. Signs would have to be posted at each location where persons may enter the farm for pick-your-own harvesting.