

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:

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

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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:

<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 & 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&S XXX</i>	<i>Chapter # of enacted Private & 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

SENATE AMENDMENT "C" TO COMMITTEE AMENDMENT "A" (S-392) changes the number of members to be appointed from the Joint Standing Committee on Natural Resources, from the Joint Standing Committee on Agriculture, Conservation and Forestry, from the Joint Standing Committee on State and Local Government and from the Joint Standing Committee on Inland Fisheries and Wildlife from one member to two members and requires that the selection of those members be made jointly by the President of the Senate and the Speaker of the House of Representatives.

LD 1239 **An Act to Restrict the Use of State Agencies for Representation of Nonresidents under the Uniform Interstate Family Support Act** ONTP

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

SUMMARY

This bill would have amended the Uniform Interstate Family Support Act, which takes effect July 1, 1995, to limit the duties of the Department of Human Services to provide services to nonresident petitioners. Under the terms of this bill, those services would be provided only to individual, nonresident petitioners who have a court order of support from this State or who reside in a state that has enacted the Uniform Interstate Family Support Act, or to the support enforcement agency of a state that has enacted the Uniform Interstate Family Support Act, which therefore provides similar services to Maine residents. Nonindigent nonresidents would have to pay the Department of Human Services a fee for these services.

LD 1249 **An Act to Allow the Court to Dismiss Frivolous Lawsuits Filed by Persons Requesting Leave to Proceed In Forma Pauperis** ONTP

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

SUMMARY

This bill would have allowed the court to dismiss lawsuits filed by persons who ask for leave to proceed without liability for court fees or costs if the court finds that the action is frivolous. The bill was drafted to parallel the standard used in federal court, as provided in 28 U.S.C. §1915(d). The Committee wrote a letter to the Advisory Committee on Rules of Civil Procedure suggesting they consider whether an amendment to the rules is appropriate.

LD 1252 **An Act to Clarify the Role of Prelitigation Screening Panels under the Health Security Act** ONTP

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

SUMMARY

This bill would have clarified the role of the prelitigation screening panels under the Maine Health Security Act. See LD 916.