

# 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  
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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

22. The final adoption decree is no longer required to contain every name by which the adoptee was formerly known.
23. Completion of the adoption may be sent by regular mail, rather than certified mail, return receipt requested.
24. This amendment allows an attorney to continue to represent a party through an appeal until otherwise notified.
25. The records confidentiality provisions are clarified to reiterate that the records are confidential.
26. The reasons for annulment of an adoption are revised to remove "error" and to add "for other good cause shown consistent with the best interest of the child."
27. When an adoption is annulled, the Probate Court shall issue a certificate of annulment and send a certified copy to the Bureau of Vital Statistics.
28. This amendment is made an "emergency" to take effect immediately upon the Governor's signature.
29. An application section is added. This Act applies to all adoption petitions filed on or after the effective date of this Act with the following exception. The Probate Court Judge may apply the law effective on August 1, 1994, as enacted by PL 1993, chapter 686, to adoptions for which the petition is filed on or after the effective date of this Act, but one or more of the following has occurred under PL 1993, c. 686:
  - A. The filing of a consent;
  - B. The filing of a surrender and release;
  - C. The filing of a waiver of notice by a father or putative father;
  - D. The issuance of an order terminating parental rights.

The judge must make the decision of what law to apply by examining which law reduces delay in the adoption process for that particular adoption, consistent with the best interest of the child.

**LD 1402**      **An Act to Promote Equity in Legal Advertising**      **ONTP**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
CHASE	ONTP	

**SUMMARY**

This bill would have amended the requirements for newspapers carrying legal notices and legal advertisements to remove the requirement that the newspaper be entered as 2nd class postal matter. The other requirements would be retained.

**LD 1428**      **Resolve, Directing the Attorney General to Review Standards for Reporting Suspected Sexual and Physical Abuse of Minors**      **RESOLVE 29**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
OTT	OTP-AM	H-385