

MAINE STATE LEGISLATURE

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**STATE OF MAINE
117TH LEGISLATURE**

SECOND REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
JUDICIARY**

JUNE 1996

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Sen. Joan M. Pendexter

Sen. Sean F. Faircloth

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**ONE HUNDRED SEVENTEENTH LEGISLATURE
SECOND REGULAR SESSION**

***Summary Of Legislation Before The Joint Standing Committees
June 1996***

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized alphabetically by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills.

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are 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 finally passed 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>

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is July 4, 1996.

LD 1811**An Act to Correct Errors and Inconsistencies in the Laws of
Maine**PUBLIC 625
EMERGENCYSponsor(s)Committee Report
OTP-AMAmendments Adopted
S-541
S-555

LD 1811 proposed to correct technical errors and inconsistencies in the Laws of Maine.

Committee Amendment "A" (S-541) proposed to correct technical errors and inconsistencies in the Laws of Maine. It also proposed to correct errors and inconsistencies that may be considered substantive, contained in Part C.

Senate Amendment "A" To Committee Amendment "A" (S-555) proposed to remove provisions correcting a conflict in the laws regarding vacancies in the office of sheriff. That section of the Maine Revised Statutes was contained in LD 1700 in the State and Local Government Committee.

Enacted law summary

Public Law 1995, chapter 625 corrects errors and inconsistencies in the Laws of Maine. Any corrections which may be considered substantive are included in Part C.

Public Law 1995, chapter 625 is effective April 8, 1996.

LD 1842**An Act to Recodify and Revise the Maine Revised Statutes,
Title 19**

PUBLIC 694

Sponsor(s)Committee Report
OTP-AMAmendments Adopted
H-897

LD 1842 proposed to recodify and revise Title 19 of the Maine Revised Statutes.

Part A of the bill proposed to amend the law in response to the recent law court case, White v. Allen, 667 A.2d 112 (Me. 1995) governing the calculation of past child support awards

Parts B, C and D proposed to recodify and revise the Maine Revised Statutes, Title 19 pursuant to Public Law 1995, chapter 484. The Joint Standing Committee on Judiciary combined the draft recodifying the Title with substantive changes.

Committee Amendment "A" (H-897) proposed changes to the bill and current law. Significant changes include the following.

1. The amendment proposed to establish the Family Law Advisory Commission beginning in 1996.
2. It proposed updated language and removal of inconsistencies in the marriage license statutes.
3. It proposed to amend the requirements concerning recording divorce decrees, or abstracts of divorce decrees, that affect ownership of real property to indicate that the court clerk must prepare or approve the abstract to be recorded.
4. It proposed to revise the term "abandonment" of the family residence as used in the determination of parental rights and responsibilities.