

MAINE STATE LEGISLATURE

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STATE OF MAINE
ONE HUNDRED AND ELEVENTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON
Judiciary

BILL SUMMARY



JULY, 1983

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Judiciary Committee

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679 AN ACT TO INCLUDE THE TERM 'SEXUAL Conley INDEF. PP.
OR AFFECTIONAL ORIENTATION' IN
THE MAINE HUMAN RIGHTS ACT

SUMMARY: Attempted to prohibit discrimination against homosexuals for housing, credit, and employment. Defeated in the House.

702 AN ACT TO PERMIT A VERDICT OF GUILTY Benoit LV/WD
BUT SUFFERING FROM MENTAL DISEASE
OR DEFECT

SUMMARY: Sought to provide the trier of fact in a criminal case with 3 possible verdicts when a defendant used the insanity defense: guilty, not guilty by reason of insanity, or guilty but suffering from mental disease or defect. The latter verdict required the court to sentence the convicted defendant as provided by law and then commit him to the Department of Mental Health and Mental Retardation for treatment in an appropriate facility. Should the treatment be completed before expiration of the prison sentence, the person would either serve out the remainder of the sentence in prison or on probation. The Committee felt that such a change in Maine's insanity defense law was not necessary.

705 AN ACT TO PROVIDE EQUITY FOR FORMER Holloway PL 1983, c. 259
MILITARY WIVES

SUMMARY: Permits garnishment of military retired or retainer pay for child support. A court order which allows notice and hearing is required before garnishment.

725 AN ACT TO CLARIFY THE MAINE MOTOR Gauvreau PL 1983, c. 288
VEHICLE HABITUAL OFFENDER STATUTE

SUMMARY: Amends a portion of the habitual offender law concerning operation of a motor vehicle after the operator's license has been revoked under the statute. The policy section of the habitual offender statute states that its aim is to protect travellers on public highways. Yet the section concerning driving after revocation of a driver's license currently prohibits operation of a motor vehicle, but does not state that the prohibition applies to operation on a public way. This change makes that section consistent with the policy section.

735 AN ACT TO AMEND THE TERMINATION Soule PL 1983, c. 249
OF PARENTAL RIGHTS ACT

SUMMARY: Corrects an omission in current law by extending the jurisdiction of the courts to terminate parental rights, if applicable, when a custody order has been issued.