

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
ONE HUNDRED AND TWELFTH LEGISLATURE  
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE ON  
JUDICIARY  
BILL SUMMARY



MAY 1986

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JOINT STANDING COMMITTEE  
BILL SUMMARIES  
MAY 1986

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature, covering the Second Regular Session of the 112th Legislature. The summaries are arranged by LD number under each committee.

All Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor if it is a floor amendment or the designation "CA" if it is a committee amendment. If the amendment was adopted in the House, the letter H appears after the sponsor. If it was adopted in the Senate, the letter S appears.

Final action for each bill is listed to the right of the title. If final House action and Senate action differ, both are listed.

Key to Committee Reports and Floor Action:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-AM	Ought to Pass as Amended
ONT	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

LD AN ACT CONCERNING EXPUNGEMENT OF CERTAIN  
2111 CRIMINAL RECORDS

LVWD

Sponsor: BOTT, Trafton, Stetson  
Committee Report: LVWD

SUMMARY: This bill sought to provide a mechanism for the expungement of certain criminal materials and records in cases where the criminal action or proceeding was terminated in favor of the accused and the accused can prove by a preponderance of the evidence that he did not commit any criminal act.

LD AN ACT TO CREATE THE FAMILY DIVISION OF THE  
2119 DISTRICT COURT AND TO ESTABLISH FULL-TIME,  
APPOINTED PROBATE JUDGES

ND LD 2402

Sponsor: The Commission to Study Family Matters in Court  
Committee Report: OTP-ND-NT, ONTP

SUMMARY: See New Draft, LD 2402.

LD AN ACT TO PROVIDE FOR THE EFFECTIVE ENFORCE-  
2133 MENT AND COLLECTION OF FINES IMPOSED FOR  
CIVIL VIOLATIONS, TRAFFIC INFRACTIONS AND  
CRIMINAL OFFENSES AND TO INCREASE THE SANCTIONS  
FOR FAILURE TO APPEAR

LVWD

Sponsor: CARPENTER, Kane, Foster, Carter  
Committee Report: LVWD

SUMMARY: LD 2133 sought to address the problem of unpaid court fines and the costs to the State of seeking to collect those fines. Under the bill, a defendant in any case where a fine could be levied by the court would have been required to pay the fine in full immediately, unless the court determined the defendant was unable to pay. The court could then have established an installment payment scheme for the defendant.

Under the original draft, the district attorney would have been responsible for acting upon a defendant's default in payment of a fine. (A proposed new draft created the position of State Fines Administrator to pursue collection of unpaid fines.) Defendants who defaulted would have been charged \$25 per 30-day period during which the fine remained unpaid, up to a maximum charge of \$100.