

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON  
JUDICIARY  
BILL SUMMARY



JUNE 1987

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ONE HUNDRED AND THIRTEENTH LEGISLATURE  
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE  
BILL SUMMARIES  
JUNE 1987

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. The summaries are arranged by LD number under each committee.

All Adopted 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 "COMMITTEE" if it is a committee amendment.

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

Please let us know if you would prefer a different format or additional information and if the summaries are helpful.

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-A	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

LD AN ACT TO PERMIT JUDGES OF THE UNITED STATES LVWD  
133 TO BE ADMITTED TO THE PRACTICE OF LAW IN MAINE  
BY MOTION

Sponsor: GAUVREAU, Paradis, P., Brannigan  
Committee Report: LVWD

SUMMARY: LD 133 proposed to allow Federal Judges to be admitted to the practice of law in this State on motion before the Supreme Judicial Court without complying with the usual requirements for admission to the bar.

LD AN ACT CONCERNING VISITATION RIGHTS OF LVWD  
149 GRANDPARENTS

Sponsor: CLARK, N., Gill, Black, Anthony  
Committee Report: LVWD

SUMMARY: Passage of this bill would have allowed any grandparent to apply to the Superior Court for visitation rights with respect to his grandchildren when the parents of the minor children are separated, divorced or one or both of the parents are deceased.

LD AN ACT CONCERNING ENHANCEMENT OF THEFT PL 1987  
157 PENALTIES BASED ON PRIOR CONVICTIONS c. 12

Sponsor: GAUVREAU, Paradis, P., Warren, Marsano  
Committee Report: OTP

SUMMARY: The penalties for most theft crimes under the Criminal Code are based on the value of the property taken. 17-A MRSA §362 (3-A) is an exception to this general penalty scheme: Under subsection 3-A, a theft or attempted theft is automatically a Class C crime (punishable by up to 5 years imprisonment, a fine not to exceed \$2,500, or both), regardless of the value of the property taken, if the person charged with the theft has 2 prior Maine convictions for similar offenses. This bill adds a time limit for the use of prior convictions to enhance the penalty for a new theft offense: The prior convictions cannot be used to determine the penalty if they preceded the new offense by more than 10 years.

LD AN ACT RELATING TO CIVIL PENALTY ACTIONS LVWD  
172

Sponsor: BRANNIGAN  
Committee Report: LVWD

SUMMARY: This bill sought to repeal the current two-year statute of limitations on civil actions to recover