

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
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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

Failure to pay a fine subjects a defendant to civil contempt, unless the defendant shows that his failure was not due to a willful refusal to obey the court's order or a failure to make a good faith effort to pay.

This bill also deals with the failure of a defendant to appear in the first instance to answer a civil violation or traffic infraction complaint. Upon a failure to appear, the court clerk is to mail a notice to the defendant with a new appearance date and informing the defendant that failure to appear at that time will result in a default judgment. Upon a default, the court will enter a judgment, set a fine, and, if the offense is a traffic infraction, suspend the defendant's driver's license. The defendant may petition the court for relief from a default judgment.

The bill also permits the judicial department to establish a procedure for payment of fines up to \$500 by credit cards.

LD AN ACT TO IMPROVE COURT SECURITY
1217

PL 1987
c. 137

Sponsor: GAUVREAU, Marsano, Cote, MacBride
Committee Report: OTP

SUMMARY: LD 1217 grants authority to the Administrator of the Court to coordinate court security measures and, when necessary, to contract for additional deputy sheriffs from other counties to assist in court security duties.

LD AN ACT TO APPORTION FAULT UNDER THE COMPARATIVE
1221 NEGLIGENCE LAW

CARRY-OVER

Sponsor: WARREN, Cote, Thistle
Committee Report: Carry-Over

SUMMARY: The bill seeks to alter the comparative negligence statute so that a plaintiff's recovery in a civil suit would be reduced by whatever percentage the jury found the plaintiff to be at fault for the accident. The current statute eliminates the plaintiff's ability to recover if he is found to be equally at fault.