

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

STATE OF MAINE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON
JUDICIARY
BILL SUMMARY



JUNE 1987

PREPARED BY:

Martha Freeman and Gilbert Brewer

OFFICE OF POLICY AND LEGAL ANALYSIS
STATE HOUSE, STATION 13 AUGUSTA, MAINE 04333
(207) 289-1670

HELEN T. GINDER, DIRECTOR
HAVEN WHITESIDE, DEP. DIRECTOR
GILBERT W. BREWER
DAVID C. ELLIOTT
GRO FLATEBO
MARTHA E. FREEMAN, SR. ATTY.
JERI B. GAUTSCHI
CHRISTOS GIANOPOULOS
WILLIAM T. GLIDDEN, JR.



STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS

ROOM 101/107
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL.: (207) 289-1670

JULIE S. JONES
JOHN B. KNOX
EDWARD POTTER
MARGARET J. REINSCH
LARS H. RYDELL
JOHN R. SELSER
CAROLYN J. CHICK, PARALEGAL
ROBERT W. DUNN, RES. ASST.
HARTLEY PALLESCHI, JR., RES. ASST.
KATHRYN VAN NOTE, RES. ASST.

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

innocence and a 2nd jury to determine the sentence. All cases in which a death penalty was ordered would be subject to immediate review by the Law Court. The bill also contained a referendum clause so that it would not take effect until accepted by the voters of the State.

LD AN ACT TO MODIFY THE DEFINITION OF SEXUALLY PL 1987
1242 EXPLICIT CONDUCT c. 165

Sponsor: BRANNIGAN, Marsano, Paradis, P.
Committee Report: OTP

SUMMARY: The bill amends the law prohibiting and penalizing the sexual exploitation of minors to assure that prohibited use of children in sexually explicit conduct includes lewd exhibition of the anus and sexually explicit conduct even when the genitals, pubic area, or anus are covered.

LD AN ACT TO CLARIFY THE LAW RELATING TO PL 1987
1243 RESTITUTION FOR VICTIMS OF CRIME BY EXPRESSLY c. 157
PROVIDING THAT CITIES, COUNTIES AND OTHER EMERGENCY
GOVERNMENTAL ENTITIES CAN BE VICTIMS AND THAT
ORGANIZATIONS MAY BE ORDERED TO PAY RESTITUTION

Sponsor: BRANNIGAN, Paradis, P., Cote, MacBride
Committee Report: OTP

SUMMARY: LD 1243 includes governmental entities within the definition of "victim" in the restitution law so that restitution to such entities can be sought from an offender after his conviction. The bill also authorizes the requirement of restitution from business organizations convicted of criminal activity as well as individuals.

LD AN ACT RELATING TO CRIMINAL RESTRAINT UNDER THE PL 1987
1246 KIDNAPPING AND RESTRAINT LAWS c. 150

Sponsor: CASHMAN, Bost
Committee Report: OTP

SUMMARY: The bill raises the age of the victim as an element of the crime of criminal restraint from 15 years of age to 16 years of age.