

MAINE STATE LEGISLATURE

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**STATE OF MAINE
115TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
JUDICIARY**

AUGUST 1991

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**ONE HUNDRED AND FIFTEENTH LEGISLATURE
FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION
JOINT STANDING COMMITTEE
BILL SUMMARIES
AUGUST 1991**

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 volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H - 584 or S - 222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

PUBLIC XXX	<i>Chapter # of enacted Public Law</i>
P&S XXX	<i>Chapter # of enacted Private & Special Law</i>
RESOLVE XXX	<i>Chapter # of enacted Resolve</i>
CON RES XXX	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
EMERGENCY	<i>Enacted law takes effect sooner than 90 days</i>
CARRIED OVER	<i>Bill carried over to 2nd Session</i>
FAILED EMERGENCY ENACTMENT	<i>Bill failed to get 2/3 vote</i>
ONTP	<i>Ought Not to Pass report accepted</i>
LVWD	<i>Leave to Withdraw report accepted</i>
INDEF PP	<i>Bill Indefinitely Postponed</i>
DIED BETWEEN BODIES	<i>House & Senate disagree; bill died</i>
VETO SUSTAINED	<i>Legislature failed to override Governor's Veto</i>
UNSIGNED	<i>Not signed by Governor within 10 days</i>
DIED ON ADJOURNMENT	<i>Action incomplete when 1st session ended</i>

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

If you have any suggestions or comments on these summaries, please let us know.

LD 263 An Act Regarding Traffic Violations Bureaus

PUBLIC 91

SPONSOR(S)
RICHARDS

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-110

SUMMARY

The bill eliminates the requirement that there be a Traffic Violations Bureau in each separate division of the District Court so as to allow the Chief Judge to establish one or more locations for the receipt of waivers.

Committee Amendment "A" (H-110) adds a fiscal note.

LD 264 An Act Regarding Claim and Notice of Disclosure

LV/WD

SPONSOR(S)
STEVENS P

COMMITTEE REPORT
LV/WD

AMENDMENTS ADOPTED

SUMMARY

The bill would have given plaintiffs in small claims actions the ability to provide service of process on their own. The bill would have allowed the Supreme Judicial Court, through its rulemaking, to determine the rules regarding service of the statement of claim and notice of disclosure. See PL 1991, c. 9, Pt. E, §12.

LD 271 An Act to Replace Certain Criminal Fines with Community Service

CARRIED OVER

SPONSOR(S)
CONLEY

COMMITTEE REPORT

AMENDMENTS ADOPTED

SUMMARY

This bill would allow judges to prescribe specific community service or other alternative sentence instead of imposing a fine.

LD 272 An Act to Revise the Small Claims Laws

**PUBLIC 604
EMERGENCY**

SPONSOR(S)
GAUVREAU

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
S-238
S-427 BRANNIGAN

SUMMARY

This bill allows the Supreme Judicial Court complete discretion to provide for procedures governing small claims by rule. See PL 1991, c. 9, Pt. E, §12.

Committee Amendment "A" (S-238) adds an emergency and provides that small claims rule may not restrict the number of claims that may be filed in any given period. It also adds an appropriation for 10 additional clerks to process small claims actions.

Senate Amendment "A" (S-427) to Committee Amendment "A" removes the appropriation section.