

# 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  
115TH LEGISLATURE**

**FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION**

**BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
JUDICIARY**

**AUGUST 1991**

**Staff:**  
*Margaret J. Reinsch, Legislative Analyst*

*Office of Policy and Legal Analysis  
Room 101, State House Station 13  
Augusta, ME 04333  
(207) 289-1670*

**MEMBERS:**

*\*Sen. N. Paul Gauvreau  
Sen. Georgette B. Berube  
Sen. Muriel D. Holloway*

*\*Rep. Patrick E. Paradis  
Rep. Constance D. Cote  
Rep. Patricia M. Stevens  
Rep. Cushman D. Anthony  
Rep. Susan Farnsworth  
Rep. Mary R. Cathcart  
Rep. Andrew Ketterer  
Rep. Dana C. Hanley  
Rep. John H. Richards  
Rep. David N. Ott*

*\*Denotes Chair*

MARTHA E. FREEMAN, DIRECTOR  
WILLIAM T. GLIDDEN, JR., PRINCIPAL ANALYST  
ULIE S. JONES, PRINCIPAL ANALYST  
DAVID C. ELLIOTT, PRINCIPAL ANALYST  
RON CLARK  
RYAN M. DYTTER  
BRO FLATEBO  
DEBORAH C. FRIEDMAN  
MICHAEL D. HIGGINS  
KANE ORBETON



KAREN L. HRUBY  
JILL IPPOLITI  
JOHN B. KNOX  
PATRICK NORTON  
MARGARET J. REINSCH  
PAUL J. SAUCIER  
HAVEN WHITESIDE  
MILA M. DWELLEY, RES. ASST.  
ROY W. LENARDSON, RES. ASST.  
BRET A. PRESTON, RES. ASST.

STATE OF MAINE  
OFFICE OF POLICY AND LEGAL ANALYSIS  
ROOM 101/107/135  
STATE HOUSE STATION 13  
AUGUSTA, MAINE 04333  
TEL.: (207) 289-1670

**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:

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

Committee Amendment "A" (S-52) adds a fiscal note.

**LD 430 An Act to Prevent Discrimination**

**DIED BETWEEN  
BOOIES**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
CONLEY	OTP-AM MAJ	
STEVENS P	ONTP MIN	
GILL		
O'GARA		

**SUMMARY**

The bill would have prohibited discrimination on the basis of sexual orientation in the areas of employment, housing, public accommodations and credit.

Committee Amendment "A" (S-32) (Majority report) added a fiscal note.

Senate Amendment "A" (S-33) added a referendum and a fiscal note.

House Amendment "A" (H-63) added a referendum and a fiscal note.

**LD 431 An Act Regarding Harassment by Telephone**

**LV/WD**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
ESTES	LV/WD	
ADAMS		
CARPENTER		
CARLETON		

**SUMMARY**

The bill would have reduced the mens rea requirement from knowingly to negligently for the crime of permitting a phone under a person's control to be used to make harassing calls. The bill would have created a presumption of negligence when certain facts are proved.

**LD 447 An Act to Increase the Penalties for Career Criminals**

**LV/WD**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
PARADIS P	LV/WD	
KETTERER		
O'DEA		

**SUMMARY**

The bill would have enhanced the class of the most serious theft crimes if the person committing the thefts has been convicted of 2 or more Class A, B or C crimes or murder within the preceding 10 years. Thefts that would otherwise be Class B crimes would be enhanced to Class A crimes, and Class C thefts would become Class B crimes.