

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

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*

Staff:

Margaret J. Reinsch, Legislative Analyst

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

**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



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

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.

**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 584 An Act to Amend the Provisions Regarding Prejudgment Interest

PUBLIC 165

SPONSOR(S)
HOLLOWAY

COMMITTEE REPORT
OTP

AMENDMENTS ADOPTED

SUMMARY

The bill clarifies that for judgments of less than \$5,000, except in civil actions involving a contract or note containing interest provisions, prejudgment interest is computed at 8% and only from the date the complaint is filed.

LD 589 An Act to Facilitate Prosecution for Killing a Person While Hunting

PUBLIC 350

SPONSOR(S)
JACQUES
POULIN
TARDY
MARSH

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-400

SUMMARY

The bill establishes a Class B crime of hunting homicide. A person commits hunting homicide if that person, while hunting, discharges a firearm without identifying the target at which the person is shooting and a person dies as a result of being shot.

Committee Amendment "A" (H-400) replaces the bill. It provides guidance relating to the target-determining process to be utilized by a reasonable and prudent hunter.

LD 612 An Act to Improve the Collection of Data by the State Bureau of Identification

PUBLIC 206

SPONSOR(S)
RAND
CONLEY
FARNSWORTH
HOGLUND

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-223

SUMMARY

This bill more precisely defines harassment and specifies the characteristics to be considered for the charge of "harassment based on characteristics." It streamlines the type of harassment data the State Bureau of Identification is required to collect, namely harassment based on specific characteristics. This bill also requires the State Bureau of Identification to note when any crime was based on characteristics.

Committee Amendment "A" (H-223) deletes the proposed changes to the harassment and civil rights laws and amends the crime reporting statute to state specifically the types of characteristics that are apparent motivation for crimes that must be recorded, consistent with federal crime reporting requirements. The language tracks the federal Hate Crime Statistics Act. It also adds an effective date of January 1, 1992.