

# 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:

<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" (H-334) deleted the bill's changes regarding the crime of a witness failing to appear or testify, leaving the current law intact. It clarified the language concerning enhancing the penalties for committing a crime against a witness in retaliation for participating in an official proceeding.

**LD 1220      An Act to Broaden the Crime of Criminal Mischief      PUBLIC 565**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
COTE PARADIS P GAUVREAU MAYO	OTP-AM	H-288

**SUMMARY**

The bill broadens the mental state element of aggravated criminal mischief and criminal mischief by adding the word "recklessly." As amended by the bill, each crime parallels the crime of assault.

Committee Amendment "A" (H-288) deletes the changes regarding aggravated criminal mischief, but retains the amendment to criminal mischief.

**LD 1231      An Act to Facilitate and Consolidate Certain District Court Cases      ONTP**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
BERUBE	ONTP	

**SUMMARY**

The bill would have made it possible for a forcible entry and detainer action and a suit for collection of unpaid rent and damages to rental property to be combined into one judicial hearing in the District Court.

**LD 1234      An Act to Allow Right of Entry for Department of Marine Resources Personnel      LV/WD**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
VOSE GOULD R R LOOK	LV/WD	

**SUMMARY**

The bill would have allowed the right of entry to gain access to the shore for Department of Marine Resources personnel under specified conditions.