

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 1516 An Act to Clarify Statutory Provisions Relating to Asset Forfeiture

PUBLIC 461

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
FARNSWORTH MILLS COTE	OTP-AM	H-511

SUMMARY

The bill clarifies the status of existing law by ratifying the practice of allowing the centralized storage of vehicles potentially subject to forfeiture without defeating the in rem jurisdiction of the court. It extends the period in which the Attorney General or the district attorney may file a forfeiture petition for a vehicle from 7 days to 21 days. It adopts the standards for publication contained in the Maine Rules of Civil Procedure, Rule 4, except that it requires publication in a statewide newspaper.

Committee Amendment "A" (H-511) allows the court to forfeit property to the district attorneys budget within the Department of the Attorney General if a district attorney's office has made a substantial contribution to the investigation or prosecution of a related criminal case.

LD 1541 An Act to Clarify the Maine Juvenile Code

PUBLIC 493

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
HOLLOWAY OTT COLLINS	OTP-AM	H-597 KILKELLY S-267

SUMMARY

The bill clarifies certain sections of the Maine Juvenile Code to ensure more consistent and accurate application of the Code's provisions.

Committee Amendment "A" (S-267) clarifies the term "temporary holding resource" and its use in the Juvenile Code. The amendment, in recognition of the reality that there will be no regional juvenile detention facilities ready for operation until well into 1993, adds a new paragraph to allow juveniles to be detained in a separate juvenile section of the Androscoggin County Jail until September 30, 1993. The separate juvenile section must be approved under federal and state laws.

House Amendment "A" to Committee Amendment "A" (H-597) corrects a cross reference in the effective date section.

LD 1542 An Act to Correct Certain Errors and Inconsistencies in the Maine Revised Statutes, Title 17-A

PUBLIC 259

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
PARADIS P GREENLAW OTT	OTP	

SUMMARY

The bill deletes statutory wording in the Maine Revised Statutes, Title 17-A that incorrectly states that inmates are committed to the Maine State Prison or the Maine Correctional Center instead of to the Department of Corrections. It also provides that all inmates participating in minimum security community programs must be treated equally in the award of good time credit.