

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 1822 An Act to Allow Admissible Evidence Concerning the Physical or Sexual Assault or Abuse of a Minor

CARRIED OVER

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
BOUTILIER		
BERUBE		
HOLLOWAY		
FARNSWORTH		

SUMMARY

The bill would enable the prosecution, in a case when the charge is the physical or sexual assault or abuse of a minor, to put before the factfinder evidence of similar acts by the defendant, before or after the act in question, to prove the defendant's motive, opportunity, intent, preparation, plan, knowledge, identity, absence of mistake or absence of accident.

LD 1834 An Act Creating the Victims' Compensation Board

CARRIED OVER

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MACBRIDE		
COLLINS		
RICHARDS		
KETTERER		

SUMMARY

The bill would establish the Victims' Compensation Board and the Victims' Compensation Fund.

The Victims' Compensation Fund would be funded from assessments added to the fine imposed on individuals convicted of crimes or adjudicated to have committed traffic infractions. The bill would establish a \$5,000 maximum award to provide a reasonable amount of compensation, while ensuring the availability of funds for as many victims as possible. Federal legislation provides for federal reimbursement of up to 40% to the state.

LD 1838 An Act Amending the Definition of Murder in the First Degree to Include Homicide by Pattern or Practice of Assault or Torture of a Child under the Age of 16

CARRIED OVER

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
BOUTILIER		
HOLLOWAY		
CATHCART		

SUMMARY

The bill would provide that if there exists a pattern of assault or torture of a child under 16 years of age resulting in the death of the child under circumstances manifesting a depraved indifference to the value of human life, the assailant may be convicted of murder even though the assailant did not intend to cause the death of the child.