

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
116TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
JUDICIARY

JULY 1993

**Staff:**  
*Margaret J. Reinsch, Legislative Analyst*  
*Julie S. Jones, Principal Analyst*

*Office of Policy and Legal Analysis*  
*Room 101, State House Station 13*  
*Augusta, ME 04333*  
*(207)287-1670*

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DARLENE A. SHORES LYNCH, RESEARCHER  
CARRIE C. McFADDEN, RESEARCHER

STATE OF MAINE  
OFFICE OF POLICY AND LEGAL ANALYSIS  
ROOM 101/107/135  
STATE HOUSE STATION 13  
AUGUSTA, MAINE 04333  
TEL: (207) 287-1670  
FAX (207) 287-1275

**ONE HUNDRED AND SIXTEENTH LEGISLATURE  
FIRST REGULAR SESSION**

**JOINT STANDING COMMITTEE  
BILL SUMMARIES**

**JULY 1993**

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.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. 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:

<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>P&amp;S XXX</i>	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of enacted Resolve</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>CARRIED OVER</i>	<i>Bill carried over to Second Session</i>
<i>ONTP</i>	<i>Ought Not to Pass report accepted</i>
<i>ENACTMENT FAILED</i>	<i>Bill failed to get majority vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>FAILED EMERGENCY ENACTMENT</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>DIED BETWEEN BODIES</i>	<i>House &amp; Senate disagree; bill died</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference formed but unable to agree</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>
<i>UNSIGNED</i>	<i>Not signed by Governor within 10 days</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</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.

If you have any suggestions or comments on these summaries, please let us know.

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**LD 528**      **An Act to Amend the Laws Concerning Immunity from Civil Liability**      ONTP

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
CONLEY	ONTP	

**SUMMARY**

The bill would have expanded the existing laws governing immunity from civil liability to apply to students engaged in clinical programs in their schools and to members or employees of nonprofit volunteer ambulance rescue and emergency units.

**LD 544**      **An Act Regarding Missing Children**      PUBLIC 425  
EMERGENCY

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
HOLT	OTP-AM	H-262 S-357    PEARSON

**SUMMARY**

The bill enacts the Missing Children Act modelled after Florida law, which is based upon federal law enacted in 1982. The bill requires a law enforcement agency to respond immediately to notification that a child is missing by informing all on-duty law enforcement officers and other law enforcement agencies in the area. The bill establishes a Missing Children Information Clearinghouse within the Department of Public Safety that, among other duties, will interface with the National Crime Information Center concerning missing children.

Committee Amendment "A" (H-262) adds an appropriation, an allocation and a fiscal note.

Senate Amendment "A" to Committee Amendment "A" (S-167) replaces the appropriation and allocation sections to reflect federal funding received through a federal grant. Not adopted.

Senate Amendment "B" to Committee Amendment "A" (S-357) adds a mandate preamble and replaces the allocation and appropriation sections with a section allocating the necessary funds from the federal grant the State will receive to participate in the Missing Children Information Clearinghouse.

House Amendment "A" to Committee Amendment "A" (H-431) adds a mandate preamble, corrects the fiscal note and replaces the appropriation and allocation sections. Not adopted.

**LD 546**      **An Act Relating to the Theft of Utility Services**      PUBLIC 106

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
KETTERER	OTP-AM	H-158

**SUMMARY**

The bill clarifies the intent of the theft of utility services law requiring utilities to allow new customers one billing cycle before the presumption of diversion can apply.

Committee Amendment "A" (H-158) replaces the bill. It repeals the separate theft of utility services crime, and adds specific language to the more broad theft of services statute. The new language includes a permissible inference regarding diversion of utility services.