

# 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.

4693NRG

**LD 560 An Act to Provide Probation Periods to Facilitate Payment of Restitution ONTP**

**SPONSOR(S)** CONLEY  
**COMMITTEE REPORT** ONTP  
**AMENDMENTS ADOPTED**

**SUMMARY**

The bill addresses a problem raised in the Law Court opinion State v. Fournier, No. 6357 (Me. Nov. 30, 1992) regarding payment of restitution while on probation.

The bill would have allowed the court to sentence a person convicted of Class B theft to a period of probation longer than the authorized maximum of 4 years when the value of the property or services stolen is large. The formula the court will use is one additional year of probation for every \$5,000 above the initial \$5,000 in value.

**LD 567 An Act to Encourage Payment of Child Support Obligations ONTP**

**SPONSOR(S)** POULIN  
**COMMITTEE REPORT** ONTP  
**AMENDMENTS ADOPTED**

**SUMMARY**

The bill would have allowed child support enforcement agents of the Department of Human Services to request from public utilities information about the residence of any responsible parent who owes child support.

**LD 577 An Act to Amend the Wrongful Death Laws ONTP**

**SPONSOR(S)** CLARK  
**COMMITTEE REPORT** ONTP  
**AMENDMENTS ADOPTED**

**SUMMARY**

The bill would have removed the cap on damages for wrongful death actions.

**LD 588 An Act Establishing an Indigent Defense Reimbursement Fund INDEF PP**

**SPONSOR(S)** CONLEY  
**COMMITTEE REPORT** OTP-AM  
**AMENDMENTS ADOPTED**  
H-518 COTE  
S-214

**SUMMARY**

The bill would have established the Indigent Defense Reimbursement Fund that would have allowed all reimbursements from indigent defendants to be channeled into a specific account and automatically transferred to the Indigent Defense Reimbursement Fund. It would have allowed for the continuation of the indigency screening program.

Committee Amendment "A" (S-214) added an allocation section and a fiscal note.

House Amendment "A" to Committee Amendment "A" (H-518) would have made the bill take effect in this fiscal year rather than making it retroactive.