

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
116TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
JUDICIARY

JULY 1993

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**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 890**

**An Act to Amend the Law Regarding Insurance Fraud**

ONTP

**SPONSOR(S)**

PARADIS P

**COMMITTEE REPORT**

ONTP

**AMENDMENTS ADOPTED**

**SUMMARY**

The bill would have provided that insurance fraud involving substantial fraudulent claims may be prosecuted as Class B, Class C or Class D crimes, depending on the amount in controversy.

**LD 892**

**An Act to Extend Criminal Sanctions to Certain Child Protective Orders**

PUBLIC 443

**SPONSOR(S)**

GEAN

**COMMITTEE REPORT**

OTP-AM

**AMENDMENTS ADOPTED**

H-287

**SUMMARY**

The purpose of this bill is to make stay-away provisions of a child protection order as criminally enforceable as a protection from abuse order.

Committee Amendment "A" (H-287) requires that orders subject to criminal penalties contain a notice of the potential consequences of violating the order. The amendment also adds a fiscal note.

**LD 898**

**An Act Concerning Juvenile Offenders**

PUBLIC 368

**SPONSOR(S)**

MARTIN J

**COMMITTEE REPORT**

OTP-AM

**AMENDMENTS ADOPTED**

H-524

**SUMMARY**

The bill distinguishes those juveniles that commit crimes with a firearm or other dangerous weapon from juvenile felons whose crimes did not involve a threat with a weapon against another person in the context of owning or possessing a firearm. This bill also changes a question on the concealed firearms permit application form to make it consistent with other questions on the form.

Committee Amendment "A" (H-524) disqualifies from possession of a firearm a person who was adjudicated as having committed a juvenile offense:

1. That was committed with the use of a dangerous weapon or a firearm against a person; or
2. That, if the offense had been committed by an adult, would be a felony and the offense involved the threat of bodily injury or resulted in bodily injury.

This description is intended to disqualify those adjudicated as having committed a felony-like juvenile offense in which violence or the threat of violence was involved. Persons adjudicated as having committed a juvenile offense that would have been a felony and that does not involve violence or the threat of violence are prohibited from possessing a firearm for 3 years or until they turn 18 years of age, whichever period is longer.