

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&S XXX</i>	<i>Chapter # of enacted Private & 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 & 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 890 **An Act to Amend the Law Regarding Insurance Fraud** ONTP

SPONSOR(S) PARADIS P	COMMITTEE REPORT ONTP	AMENDMENTS ADOPTED
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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
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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
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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.