

# 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:

*PUBLIC XXX*

*P&S XXX*

*RESOLVE XXX*

*CON RES XXX*

*EMERGENCY*

*CARRIED OVER*

*ONTP*

*ENACTMENT FAILED*

*INDEF PP*

*FAILED EMERGENCY ENACTMENT*

*FAILED MANDATE ENACTMENT*

*DIED BETWEEN BODIES*

*CONF CMTE UNABLE TO AGREE*

*VETO SUSTAINED*

*UNSIGNED*

*DIED ON ADJOURNMENT*

*Chapter # of enacted Public Law*

*Chapter # of enacted Private & Special Law*

*Chapter # of enacted Resolve*

*Chapter # of Constitutional Resolution passed by both Houses*

*Enacted law takes effect sooner than 90 days*

*Bill carried over to Second Session*

*Ought Not to Pass report accepted*

*Bill failed to get majority vote*

*Bill Indefinitely Postponed*

*Emergency bill failed to get 2/3 vote*

*Bill imposing local mandate failed to get 2/3 vote*

*House & Senate disagree; bill died*

*Committee of Conference formed but unable to agree*

*Legislature failed to override Governor's Veto*

*Not signed by Governor within 10 days*

*Action incomplete when session ended; bill died*

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

**SPONSOR(S)**  
CAHILL

**COMMITTEE REPORT**  
OTP-AM

**AMENDMENTS ADOPTED**  
S-193

**SUMMARY**

This bill increases the classification of the crime of sexual abuse of minors to Class C if the actor administered drugs or intoxicants, including alcohol, to the minor victim. The bill also authorizes a court to order restitution to cover the costs of counseling or other mental health services for a minor victim when the offender commits gross sexual conduct, sexual abuse of minors or unlawful sexual contact.

Committee Amendment "A" (S-193) replaces the bill. It inserts for clarification purposes only that counseling services are an allowable expense of economic loss for which a court may order a defendant to pay restitution. The amendment also corrects a conflict.

**LD 1266 An Act to Allow a Casino to be Constructed by the Passamaquoddy Tribe in Calais for the Purpose of Gambling**

**CARRIED OVER**

**SPONSOR(S)**  
VOSE

**COMMITTEE REPORT**

**AMENDMENTS ADOPTED**

**SUMMARY**

The bill authorizes the Passamaquoddy Tribe to operate a casino on tribal land in Calais under the terms of a tribal-state compact to be negotiated and concluded under the terms of the compact and the federal Indian Gaming Regulatory Act. This ensures that the Passamaquoddy Tribe receives the full benefits granted to other federally recognized tribes under the federal Indian Gaming Regulatory Act. The bill also authorizes the Passamaquoddy Tribe to include land in Calais as part of Passamaquoddy Indian Territory with the approval of the Calais City Council. The bill also requires that the Passamaquoddy Tribe ratify the provisions of a tribal-state compact pursuant to the terms of the federal Settlement Act.

**LD 1267 An Act to Permit the Entry of a Not Guilty Plea on Arraignment without the Physical Presence of the Defendant**

**ONTP**

**SPONSOR(S)**  
KETTERER

**COMMITTEE REPORT**  
ONTP

**AMENDMENTS ADOPTED**

**SUMMARY**

The bill would have allowed a defendant who is being arraigned on a grand jury indictment to enter a plea of not guilty in writing instead of requiring the defendant to personally appear in court.

**LD 1268 An Act Regarding the Collection of Medical Payments for an Absent Parent When a Court Order Exists**

**PUBLIC 365**

**SPONSOR(S)**  
HOGLUND

**COMMITTEE REPORT**  
OTP-AM

**AMENDMENTS ADOPTED**  
H-508

**SUMMARY**

The bill requires licensed health care facilities and licensed medical practitioners to bill the proper party for medical expenses for treatment of a minor when presented with a certified court order specifying the parent or other party responsible for the child's medical expenses. The purpose of this