

MAINE STATE LEGISLATURE

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STATE OF MAINE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON
JUDICIARY
BILL SUMMARY



JUNE 1987

PREPARED BY:

Martha Freeman and Gilbert Brewer

OFFICE OF POLICY AND LEGAL ANALYSIS
STATE HOUSE, STATION 13 AUGUSTA, MAINE 04333
(207) 289-1670

HELEN T. GINDER, DIRECTOR
HAVEN WHITESIDE, DEP. DIRECTOR
GILBERT W. BREWER
DAVID C. ELLIOTT
GRO FLATEBO
MARTHA E. FREEMAN, SR. ATTY.
JERI B. GAUTSCHI
CHRISTOS GIANOPOULOS
WILLIAM T. GLIDDEN, JR.



STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS

ROOM 101/107
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL.: (207) 289-1670

JULIE S. JONES
JOHN B. KNOX
EDWARD POTTER
MARGARET J. REINSCH
LARS H. RYDELL
JOHN R. SELSER
CAROLYN J. CHICK, PARALEGAL
ROBERT W. DUNN, RES. ASST.
HARTLEY PALLESCHI, JR., RES. ASST.
KATHRYN VAN NOTE, RES. ASST.

ONE HUNDRED AND THIRTEENTH LEGISLATURE
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JOINT STANDING COMMITTEE
BILL SUMMARIES
JUNE 1987

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 summaries are arranged by LD number under each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor if it is a floor amendment or the designation "COMMITTEE" if it is a committee amendment.

Final action for each bill is listed to the right of the title. If final House action and Senate action differ, both are listed.

Please let us know if you would prefer a different format or additional information and if the summaries are helpful.

Key to Committee Reports and Floor Action:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-A	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

LD AN ACT ESTABLISHING AN IMMUNITY FROM CIVIL CARRY-OVER
2 LIABILITY FOR CERTAIN SHELTERS FOR THE HOMELESS EMERGENCY

Sponsor: KANY, Jacques, Joseph, Lacroix
Committee Report: Carry-Over

SUMMARY: Would provide immunity, for nonprofit organizations and their employees who provide shelter to homeless people without charge, from civil liability for injury or death occurring on or due to the condition of the organization's premises. Immunity would not extend to injury or death arising from gross negligence, recklessness, or intentional misconduct.

LD AN ACT TO ENABLE A COLLECTION AGENCY TO ONTP
17 REPRESENT CLIENTS IN SMALL CLAIMS COURT

Sponsor: INGRAHAM
Committee Report: ONTP

SUMMARY: LD 17 proposed to create a new section in Title 32 that would have allowed a collection agency to represent its clients in Small Claims Court actions..

LD AN ACT TO EXTEND IMMUNITY FROM CIVIL LIABILITY PL 1987
23 FOR THE UNLAWFUL CUTTING OF TREES TO MUNICIPAL c. 10
EMPLOYEES ACTING WITHIN THE COURSE AND SCOPE
OF THEIR EMPLOYMENT

Sponsor: PARADIS, P.
Committee Report: OTP

SUMMARY: LD 23 proposed to extend the existing immunity from civil fines for the cutting of trees to include municipal employees who removed street trees or property line trees, or blown down trees during an emergency, within the course and scope of their employment.

LD AN ACT TO PERMIT A GUILTY BUT MENTALLY ILL ONTP
25 VERDICT IN A CRIMINAL CASE

Sponsor: VOSE, Erwin, E.
Committee Report: ONTP

SUMMARY: This bill sought to add a new possible verdict to those now available when a criminal defendant pleads not criminally responsible by reason of insanity: the defendant could have been found guilty but suffering from mental

disease or defect. Such a defendant would have been sentenced as if found guilty, but would have received hospitalization if necessary. After completion of hospitalization, the defendant would have completed his sentence.

LD 49 AN ACT TO VALIDATE CERTAIN ABSTRACTS OF DIVORCE DECREEES PL 1987 c. 15 EMERGENCY

Sponsor: MARSANO, Lebowitz, Allen
Committee Report: OTP-A
Amendments Adopted:
H-4 COMMITTEE

SUMMARY: The recording of a divorce decree, or an abstract of the decree, in the registry of deeds effectuates the conveyances of property order by the decree. The statutes required the abstracts to contain the residences of the parties. Many abstracts failed to recite the parties' residences. This bill removes the residence recital requirement from the statutes concerning recording divorce decree abstracts and validates all abstracts previously recorded that failed to note residences. The Committee Amendment added an emergency preamble and clause.

LD 51 AN ACT TO PROHIBIT THE CREATION OF UNLAWFUL BARRIERS ND LD 1154

Sponsor: MARTIN, J., Paradis, E., Paradis, P., Brannigan
Committee Report: OTP-ND-NT LD 1154

SUMMARY: See New Draft, LD 1154.

LD 58 AN ACT CONCERNING COMPUTER ACCESS AND COMPUTER-RELATED CRIMES LVWD

Sponsor: PARADIS, E., Kimball, Whitmore
Committee Report: LVWD

SUMMARY: This bill sought to create specific computer-related crimes. The crimes included unauthorized interference with intellectual property (defined as data, including programs); unauthorized interference with computer equipment or supplies; and unauthorized interference with computer use.