

MAINE STATE LEGISLATURE

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STATE OF MAINE
113TH LEGISLATURE
SECOND REGULAR SESSION



BILL SUMMARY
JOINT STANDING COMMITTEE
ON
JUDICIARY

MAY 1988

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Sen. N. Paul Gauvreau
Sen. Henry W. Black

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Rep. Francis C. Marsano

* Denotes Chair

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**ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST & SECOND SPECIAL SESSIONS
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES
MAY 1988**

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 for floor amendments. Final action is listed to the right of the title. If final House and Senate action differ, both are listed. Committee Reports and Floor Action are indicated as follows::

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

Each individual summary was prepared by the analyst assigned, as noted for each committee. But, this document was produced by the efforts of all the office staff, including Secretaries: Charlene Brann, Janet Jean, Earl Knox, Valarie Parlin; Research Assistant Hartley Palleschi. Finally, Secretary Laurette Knox, Legal Assistant Carolyn Chick, and Research Assistant Robert Dunn had special responsibilities in the preparation of the overall document.

Please give us your suggestions and comments on these summaries and tell us of any inaccuracies.

LD 2115 An Act to Make Certain Statutory Changes to Facilitate District Court Judicial Administration

PUBLIC 708

SPONSOR(S)
CONLEY
GAUVREAU

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-567

SUMMARY

LD 2115 proposed to correct several typographical errors in legislation enacted during the 1st Regular Session and made minor changes to simplify District Court procedures under those laws. It also repealed the requirement that a defendant in a civil violation case receive a 2nd notice of hearing after his initial failure to appear before a default judgment could be entered.

Committee Amendment "A" completely rewrote the LD and made the following changes:

1. It added a provision to ensure that violators who pay their fines in installment payments are not subject to the automatic assessment of \$25 in costs for failure to pay their fines within 30 days;
2. It included a modified version of the changes proposed in LD 2285 regarding civil arrests for failure to appear at a disclosure hearing. Under the amendment, the creditor need not file an affidavit stating that he knows of no good reason why the debtor failed to appear, but he must make his request to the court for a contempt or civil arrest order in writing;
3. It permits a civil order of arrest to be made returnable to a court other than the issuing court;
4. It clarifies a court's authority to amend a payment schedule fixed by the court before contempt proceedings are initiated; and
5. It restores the requirement that a defendant who fails to appear at a scheduled hearing must receive notice of and opportunity for an additional hearing before he is subject to a default judgment.

LD 2157 An Act to Amend the Harassment Law

PUBLIC 695

SPONSOR(S)
MARSANO
GAUVREAU
THISTLE
PARADIS P

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-561

SUMMARY

LD 2157 proposed to amend the harassment law to repeal unnecessary language, clarify reporting requirements and repealed the crime of harassment based upon characteristics.