

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
114TH LEGISLATURE  
FIRST REGULAR SESSION**



**BILL SUMMARY  
JOINT STANDING COMMITTEE  
ON  
JUDICIARY  
JULY 1989**

**MEMBERS**

**Sen. Barry J. Hobbins \***  
**Sen. N. Paul Gauvreau**  
**Sen. Muriel D. Holloway**

**Rep. Patrick E. Paradis \***  
**Rep. Constance D. Cote**  
**Rep. Gerard P. Conley, Jr.**  
**Rep. Patricia M. Stevens**  
**Rep. Cushman D. Anthony**  
**Rep. Susan Farnsworth**  
**Rep. Mary H. MacBride**  
**Rep. Dana C. Hanley**  
**Rep. Peter G. Hastings**  
**Rep. John H. Richards**

**\* Denotes Chair**

**Staff: Margaret J. Reinsch, Legislative Analyst**

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ONE HUNDRED AND FOURTEENTH LEGISLATURE  
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE  
BILL SUMMARIES  
AUGUST 1989

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 for 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 abbreviated 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 Research Assistant Barbara McGinn, and secretaries: Charlene Brann, and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

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

SPONSOR(S)  
PARADIS P

COMMITTEE REPORT  
OTP

AMENDMENTS ADOPTED

SUMMARY

The bill amends the definition of the crime of "theft of services" to specifically include cable television services.

SPONSOR(S)  
TOWNSEND  
CROWLEY  
RAND

COMMITTEE REPORT  
LV/WD

AMENDMENTS ADOPTED

SUMMARY

The bill would have limited the liability of a licensed marine pilot to \$5,000 for damages or loss arising out of the acts or omissions occasioned by the pilot's error, fault or negligence in the performance of pilotage services.

SPONSOR(S)  
PARADIS P  
CONLEY  
FARNSWORTH  
HOBBINS

COMMITTEE REPORT  
OTP

AMENDMENTS ADOPTED

SUMMARY

The bill raises the amount of civil penal damages the Superior Court may order a defendant to pay to the victim of unlawful discrimination. It also provides that the court may award a civil penalty against a defendant when the Maine Human Rights Commission, rather than a private individual, files the original charge of discrimination.

SPONSOR(S)  
MITCHELL  
ADAMS  
ANTHONY  
WENTWORTH

COMMITTEE REPORT  
OTP-AM

AMENDMENTS ADOPTED  
H-269  
H-290 TAMMARO

SUMMARY

The bill gives harbor masters, or code enforcement officers serving as harbor masters, the same enforcement power that exists in relation to land use violations.

Committee Amendment "A" (H-269) deletes duplicative language and adds necessary references in Title 30-A.

House Amendment "A" to Committee Amendment "A" (H-290) corrects a technical error.

**LD 522 An Act to Amend Disorderly Conduct Offenses**

**PUBLIC 266**

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
GURNEY O'GARA REED	OTP-AM	H-268

SUMMARY

The bill amends the definition of disorderly conduct to eliminate the need for a law enforcement officer to order the person to stop fighting before making an arrest.

Committee Amendment "A" (H-268) removes the knowledge requirement proposed by the bill for engaging in fighting.

**LD 535 An Act to Restrict the Disclosure of a Criminal Suspect's Identity**

**ONTP**

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
BRANNIGAN	ONTP	

SUMMARY

The bill would have prohibited the release of the identity of a criminal suspect by a law enforcement officer except when necessary or after the suspect has been arrested.

**LD 536 An Act to Authorize Designation of Department of Mental Health and Mental Retardation Employees to Appear in Probate Court on Behalf of the Department of Mental Health and Mental Retardation**

**PUBLIC 265**

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
HOLLOWAY FARNSWORTH TITCOMB BURKE	OTP-AM	S-149

SUMMARY

The bill would allow designated employees of the Department of Mental Health and Mental Retardation to represent the Department in Probate Court in guardianship cases.

Committee Amendment "A" (S-149) replaces the text of the bill. It rewrites the unauthorized practice of law section to allow DMHMR employees to represent the Department in Probate Court.