

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
114TH LEGISLATURE  
FIRST REGULAR SESSION



BILL SUMMARY  
JOINT STANDING COMMITTEE  
ON  
JUDICIARY  
JULY 1989

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Sen. Muriel D. Holloway

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Rep. John H. Richards

\* Denotes Chair

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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.

| <u>SPONSOR(S)</u> | <u>COMMITTEE REPORT</u> | <u>AMENDMENTS ADOPTED</u> |
|-------------------|-------------------------|---------------------------|
| MCGOWAN           | OTP-AM                  | H-342                     |
| TITCOMB           |                         | S-257 HOBBS               |
| KILKELLY          |                         |                           |
| SKOGLUND          |                         |                           |

SUMMARY

The bill includes as aggravated trafficking the sale of drugs within 1,000 feet of school property.

Committee Amendment "A" (H-342) makes technical revisions and includes school buses.

Senate Amendment "A" to Committee Amendment "A" (S-257) defines "school bus."

**LD 1146** An Act to Criminalize Sexual Abuse of Patients by Psychiatrists and Psychologists

| <u>SPONSOR(S)</u> | <u>COMMITTEE REPORT</u> | <u>AMENDMENTS ADOPTED</u> |
|-------------------|-------------------------|---------------------------|
| FARNSWORTH        | LV/WD                   |                           |
| LISNIK            |                         |                           |
| LUTHER            |                         |                           |
| TITCOMB           |                         |                           |

SUMMARY

The bill would have made it a Class C crime for a psychiatrist or psychologist to have sex with a patient or client. (See LD 1067)

**LD 1148** An Act to Provide for the Forfeiture of Firearms Used to Commit Crimes

| <u>SPONSOR(S)</u> | <u>COMMITTEE REPORT</u> | <u>AMENDMENTS ADOPTED</u> |
|-------------------|-------------------------|---------------------------|
| PARADIS P         | OTP-AM                  | H-337                     |
| PAUL              |                         |                           |

SUMMARY

The bill would require a court to include as part of the sentence for any crime the forfeiture of any firearms used by or in possession of the defendant or any accomplice during the commission of the crime.

Committee Amendment "A" (H-337) replaced the text of the bill. It requires the forfeiture for murder, Class A, B or C crimes only. It also requires the Attorney General to adopt guidelines for disposition of forfeited firearms.