

# 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**

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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.

LD 1374 An Act to Clarify Reporting Requirements for Induced and Spontaneous Abortions

PUBLIC 274

SPONSOR(S) COMMITTEE REPORT AMENDMENTS ADOPTED  
CAHILL P OTP  
GAUVREAU  
PINES

SUMMARY

The bill modifies the reporting requirements concerning spontaneous abortions or miscarriages.

LD 1387 An Act to Increase the Priority of Wage Claims Against Insolvent Employers

CARRY OVER

SPONSOR(S) COMMITTEE REPORT AMENDMENTS ADOPTED  
PRIEST  
CONLEY  
MCHENRY  
MATTHEWS

SUMMARY

(Originally referred to Labor Committee.) The bill would create a lien on the property of any employer for wages owed employees when the employer goes out of business.

LD 1390 An Act to Ensure that Child Support Payments Benefit the Family

CARRY OVER

SPONSOR(S) COMMITTEE REPORT AMENDMENTS ADOPTED  
ALLEN  
GAUVREAU  
FARNSWORTH  
CONLEY

SUMMARY

The bill would establish a child support guideline designed to ensure that a parent contribute a stable percentage of income to the support of a dependent child.

Carried over to make use of the work done by the review group established under LD 967.

LD 1396 An Act to Protect Maine Workers from Needless Injury and Death by Creating the Offense of Work-related Manslaughter

PUBLIC 505

SPONSOR(S) COMMITTEE REPORT AMENDMENTS ADOPTED  
BUSTIN OTP-AM S-276  
CONLEY S-318 HOBBS  
RAND

SUMMARY

The bill would create new categories of manslaughter and aggravated assault to cover cases where the death or serious bodily injury is caused by a violation of a federal or state safety regulation.

Committee Amendment "A" (S-276) revised the bill to clearly establish that the crimes have 4 elements: 1) the actor has direct and personal management or control over some aspect of the workplace; 2) the actor intentionally or knowingly violates a State or federal health or safety standard; 3) the violation in fact causes the death (manslaughter) or serious bodily injury (aggravated assault); and 4) the death or injury is a reasonably foreseeable consequence of the violation.

Senate Amendment "A" to Committee Amendment "A" (S-318) (with Committee approval) retitled the bill and replaced the text of the bill. It retains just the manslaughter portion and clarifies the Statement of Fact.

**LD 1405 An Act to Amend the Laws Relating to Small Claims**

**PUBLIC 378**

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
BAILEY WEBSTER C HANLEY	OTP-AM	H-396

SUMMARY

The bill would revise the processing of small claims cases in several ways.

Committee Amendment "A" (H-396) builds on LD 379 and retains only the concept of scheduling a disclosure hearing at the time judgment is rendered.

**LD 1424 An Act to Provide Compensation to Victims of Illegal Acts**

**LV/WD**

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
ROLDE	LV/WD	

SUMMARY

The bill would create the Victim Assistance Fund, which would be used to compensate victims.

**LD 1433 An Act to Increase Civil Service of Process Fees**

**LV/WD**

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
DUFFY RICHARDS CONLEY GAUVREAU	LV/WD	

SUMMARY

The bill would require that all warrants be kept at the sheriff's office, and that the service of civil process fee be raised to \$25. (See LD 1093)