

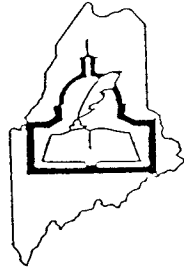
MAINE STATE LEGISLATURE

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STATE OF MAINE
114TH LEGISLATURE
SECOND REGULAR SESSION



BILL SUMMARIES
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ON
LEGAL AFFAIRS

JUNE 1990

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**One Hundred and Fourteenth Legislature
Second Regular Session**

**Joint Standing Committee
Bill Summaries**

June 1990

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. 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 or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond, 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 1894

**An Act to Facilitate Enforcement of Penalties for
Desecration of a Cemetery**

**PUBLIC 793
EMERGENCY**

SPONSOR(S)

CAHILL P
GILL
MANNING
MAYO

COMMITTEE REPORT

OTP-AM

AMENDMENTS ADOPTED

H-940 PRIEST
S-560

SUMMARY

This bill makes desecration of a cemetery a Class C crime and authorizes a court to require a person convicted of this crime to make restitution to the municipality or cemetery association whose cemetery was ransacked.

Committee Amendment "A" replaces the bill and makes it a Class E crime to enter or remain in a cemetery after dark unless the cemetery's open hours have been extended by the municipality or private organization that operates the cemetery. The amendment also changes the title and adds an emergency clause and preamble.

House Amendment "A" clarifies language added by Committee Amendment "A".

LD 1906

**Resolve, Authorizing Philip Wolley of Searsport to Bring
Suit against the State of Maine**

ONTP

SPONSOR(S)

CROWLEY

COMMITTEE REPORT

ONTP

AMENDMENTS ADOPTED

SUMMARY

This resolve allows Philip Wolley to bring suit against the State. Mr. Wolley was accused of misappropriation of funds and discharged from his position with the State Lottery Commission. The charges against Mr. Wolley were dismissed due to insufficient evidence.

LD 1953

**An Act to Strengthen Penalties for Operating under the
Influence When a Minor Is a Passenger**

PUBLIC 771

SPONSOR(S)

HUTCHINS
WEBSTER C
MCCORMICK
LIBBY

COMMITTEE REPORT

OTP-AM

AMENDMENTS ADOPTED

H-878

SUMMARY

This bill authorizes a court to impose a greater penalty, up to double the maximum penalty for OUI, on a person convicted of OUI if that person was operating the vehicle with a minor passenger.

Committee Amendment "A" replaces the bill. The amendment subjects a person convicted of OUI to mandatory minimum penalties of 2 days incarceration, \$300 fine and loss of license for 90 days if that person was operating a vehicle with a passenger under 16 years of age. The amendment also allows the Secretary of State to suspend the driver's license of a person convicted of OUI with a minor passenger for an additional 275 days.