

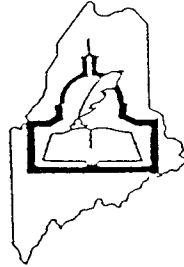
MAINE STATE LEGISLATURE

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STATE OF MAINE
114TH LEGISLATURE
SECOND REGULAR SESSION



BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
JUDICIARY
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
OTP-ND
OTP-ND-NT
OTP-A
ONTP
LVWD
INDEF PP

Ought to Pass
Ought to Pass in New Draft
Ought to Pass in New Draft, New Title
Ought to Pass as Amended
Ought Not to Pass
Leave to Withdraw
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.

SPONSOR(S)
MARSANOCOMMITTEE REPORT
LV/WD

AMENDMENTS ADOPTED

SUMMARY

The bill incorporated the Uniform Law Commissioners' Model Health Care Consent Act into the Probate Code. The bill designated persons who may consent to health care themselves and provided a triggering mechanism to determine when an individual is incapable of consenting. It established a scheme for determination of a proxy decision maker to act for one incapable of consenting, and permitted family members authorized to consent for another to delegate their authority to make health care decisions. The bill authorized an individual to appoint another to serve as a health care representative and to make health care decisions on the individual's behalf.

LD 2296 An Act Addressing Consecutive Terms of Imprisonment
Involving Probation

PUBLIC 739

SPONSOR(S)
HOBBINS
COTE
FARNSWORTH
HASTINGSCOMMITTEE REPORT
OTPAMENDMENTS ADOPTED
S-559 BUSTIN**SUMMARY**

The bill clarifies present law by prohibiting any court from imposing consecutive sentence combinations involving probation that would result in a person at liberty on probation having to serve a consecutive term of imprisonment. It also provides for 2 new devices that, along with current law, give the sentencing court greater flexibility to avoid the imposition of consecutive sentences involving probation. Third, the bill gives the sentencing court the authority to terminate the probation imposed on a previous sentence.

Senate Amendment "A" (S-559) corrects a technical error.

LD 2309 An Act to Increase the Criminal Penalties for the Furnishing
of and Trafficking in LSD

LV/WD

SPONSOR(S)
PARADIS P
CAHILL M
ERWIN P
ROTONDICOMMITTEE REPORT
LV/WD

AMENDMENTS ADOPTED

SUMMARY

The bill transferred LSD from Schedule X to Schedule Y, corrected the reference to the Board of Commissioners of the Profession of Pharmacy, and established presumptive levels for furnishing and trafficking.

Incorporated into Joint Order Bill LD 2474.