

MAINE STATE LEGISLATURE

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**STATE OF MAINE
115TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
JUDICIARY**

AUGUST 1991

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**ONE HUNDRED AND FIFTEENTH LEGISLATURE
FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION
JOINT STANDING COMMITTEE
BILL SUMMARIES
AUGUST 1991**

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 volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H - 584 or S - 222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

PUBLIC XXX	<i>Chapter # of enacted Public Law</i>
P&S XXX	<i>Chapter # of enacted Private & Special Law</i>
RESOLVE XXX	<i>Chapter # of enacted Resolve</i>
CON RES XXX	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
EMERGENCY	<i>Enacted law takes effect sooner than 90 days</i>
CARRIED OVER	<i>Bill carried over to 2nd Session</i>
FAILED EMERGENCY ENACTMENT	<i>Bill failed to get 2/3 vote</i>
ONTP	<i>Ought Not to Pass report accepted</i>
LVWD	<i>Leave to Withdraw report accepted</i>
INDEF PP	<i>Bill Indefinitely Postponed</i>
DIED BETWEEN BODIES	<i>House & Senate disagree; bill died</i>
VETO SUSTAINED	<i>Legislature failed to override Governor's Veto</i>
UNSIGNED	<i>Not signed by Governor within 10 days</i>
DIED ON ADJOURNMENT	<i>Action incomplete when 1st session ended</i>

These summaries were 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.

If you have any suggestions or comments on these summaries, please let us know.

An Act to Provide Funding for Sexual Abuse Victims and Offenders

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
FARNSWORTH CATHCART MCCORMICK PARADIS P		

SUMMARY

The bill would allow courts to set fines for sexual assaults based on the convicted person's hourly or daily wage. The fines for all sexual assaults would then be segregated into a special fund, the Sexual Abuse Victims and Offenders Fund. The bill would establish an interdepartmental committee to develop services for both victims and offenders and to administer the Sexual Abuse Victims and Offenders Fund. The interdepartmental committee would determine the appropriate allocation of the funds to provide services for both victims and offenders. The interdepartmental committee would consist of the Commissioner of Human Services, the Commissioner of Corrections, the Commissioner of Mental Health and Mental Retardation and the Commissioner of Education.

An Act to Amend the Requirement that Contracts be in Writing

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
PARADIS P HASTINGS FARNSWORTH	OTP-AM	H-465 S-353

SUMMARY

The bill amends the Statute of Frauds to require that loans or similar financial agreements must be in writing to be enforceable.

Committee Amendment "A" (H-465) replaces the bill. It moves the provisions to Title 10 to a new chapter on commercial loan agreements, clarifies terms, and allows a person to maintain an action on an oral agreement if the creditor did not inform the potential debtor that the agreement had to be in writing to be binding.

Senate Amendment "A" to Committee Amendment "A" (S-353) adds an application section to clarify that the bill applies only to contracts entered into after the effective date of the bill.

An Act to Promote Uniform Statutes of Limitations

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
STEVENS P JACQUES COTE PARADIS P	LV/WD	

SUMMARY

The bill would have changed the statute of limitations for health care providers and health care practitioners to the same statute of limitations applicable to all other civil actions in the State.