

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

**STATE OF MAINE
115TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
JUDICIARY**

AUGUST 1991

MEMBERS:

***Sen. N. Paul Gauvreau
Sen. Georgette B. Berube
Sen. Muriel D. Holloway**

***Rep. Patrick E. Paradis
Rep. Constance D. Cote
Rep. Patricia M. Stevens
Rep. Cushman D. Anthony
Rep. Susan Farnsworth
Rep. Mary R. Cathcart
Rep. Andrew Ketterer
Rep. Dana C. Hanley
Rep. John H. Richards
Rep. David N. Ott**

Staff:

Margaret J. Reinsch, Legislative Analyst

**Office of Policy and Legal Analysis
Room 101, State House Station 13
Augusta, ME 04333
(207) 289-1670**

***Denotes Chair**

MARTHA E. FREEMAN, DIRECTOR
WILLIAM T. GLIDDEN, JR., PRINCIPAL ANALYST
ULIE S. JONES, PRINCIPAL ANALYST
DAVID C. ELLIOTT, PRINCIPAL ANALYST
RON CLARK
RYAN M. DYTTER
BRO FLATEBO
DEBORAH C. FRIEDMAN
MICHAEL D. HIGGINS
KANE ORBETON



STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107/135
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL.: (207) 289-1670

KAREN L. HRUBY
JILL IPPOLITI
JOHN B. KNOX
PATRICK NORTON
MARGARET J. REINSCH
PAUL J. SAUCIER
HAVEN WHITESIDE
MILA M. DWELLEY, RES. ASST.
ROY W. LENARDSON, RES. ASST.
BRET A. PRESTON, RES. ASST.

**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.

SPONSOR(S)
GAUVREAU
COTE

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
S-142

SUMMARY

The bill permits a divorce or annulment to be final despite the appeal of any issue concerning alimony, counsel fees, disposition of property or parental rights and responsibilities.

Committee Amendment "A" (S-142) replaces the bill. It allows a court to grant final judgment of a divorce or annulment even if other issues are appealed if a party will not be prejudiced by the action and there is no reason to delay the final action.

LD 1068 An Act to Permit Collateral Source Evidence in Civil Actions**LV/WD**

SPONSOR(S)
HOLLOWAY
COTE

COMMITTEE REPORT
LV/WD

AMENDMENTS ADOPTED

SUMMARY

The bill would have permitted the trier of fact to take into consideration during its deliberations on awarding an amount of damages evidence of collateral source payments. The bill would not have required a decrease of an award by the amount of the collateral source payments, but would leave the use of that information to the sound discretion of the trier of fact.

LD 1075 An Act to Allow the Suspension of Fines in Certain Cases**PUBLIC 288**

SPONSOR(S)
CONLEY

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
S-144

SUMMARY

The bill permits a judge to suspend fines without placing the defendant on probation.

Committee Amendment "A" (S-144) replaces the bill to clarify that the court may, but is not required to, impose probation when it sentences a person to pay a fine and suspends part or all of the fine.

LD 1086 An Act Regarding the Statute of Limitations in Cases of Child Abuse and Incest**PUBLIC 551**

SPONSOR(S)
DUPLESSIS
HOLLOWAY
PARADIS P

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-564

SUMMARY

The bill repeals the separate statute of limitations provisions for actions brought for incest or sexual abuse of a minor.