

# 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

SECOND REGULAR SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
JUDICIARY

MAY 1992

**Staff:**

*Margaret J. Reinsch, Legislative Analyst  
Deborah C. Friedman, Legislative Analyst  
Julie S. Jones, Principal Analyst*

*Office of Policy and Legal Analysis  
Room 101, State House Station 13  
Augusta, ME 04333  
(207)287-1670*

**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*

*\*Denotes Chair*

IARTHA E. FREEMAN, DIRECTOR  
WILLIAM T. GLIDDEN, JR., PRINCIPAL ANALYST  
ULIE S. JONES, PRINCIPAL ANALYST  
DAVID C. ELLIOTT, PRINCIPAL ANALYST  
DON CLARK  
YAN M. DYTTER  
BRO FLATEBO  
EBORAH C. FRIEDMAN  
MICHAEL D. HIGGINS  
KANE ORBETON



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.

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

**ONE HUNDRED AND FIFTEENTH LEGISLATURE  
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE  
BILL SUMMARIES**

**MAY 1992**

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 far right of the title. Various types of final action are abbreviated as follows:

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

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, especially Laurette Knox who coordinated preparation of the overall document.

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

7. Section 2-1516 is amended to permit a lessee in a consumer lease to preserve remedies by notifying either the lessor or any assignee of the lessor of any default.
8. The amendment also adds the Uniform Comments that apply to each section and Maine Comments as appropriate.

**LD 1812**      **An Act to Discourage Motor Vehicle Theft**      **ONTP**

<b>SPONSOR(S)</b> TWITCHELL	<b>COMMITTEE REPORT</b> ONTP	<b>AMENDMENTS ADOPTED</b>
--------------------------------	---------------------------------	---------------------------

**SUMMARY**

The bill established the Motor Vehicle Chop Shop, Stolen and Altered Property Act.

**LD 1822**      **An Act to Allow Admissible Evidence Concerning the Physical or Sexual Assault or Abuse of a Minor**      **ONTP**

<b>SPONSOR(S)</b> BOUTILIER BERUBE HOLLOWAY FARNSWORTH	<b>COMMITTEE REPORT</b> ONTP	<b>AMENDMENTS ADOPTED</b>
--	---------------------------------	---------------------------

**SUMMARY**

The bill allowed the prosecution, in a case when the charge is the physical or sexual assault or abuse of a minor, to put before the factfinder evidence of similar acts by the defendant, before or after the act in question, to prove the defendant's motive, opportunity, intent, preparation, plan, knowledge, identity, absence of mistake or absence of accident.

**LD 1834**      **An Act Creating the Victims' Compensation Fund**      **PUBLIC 806**

<b>SPONSOR(S)</b> MACBRIDE COLLINS RICHARDS KETTERER	<b>COMMITTEE REPORT</b> OTP-AM      MAJ ONTP      MIN	<b>AMENDMENTS ADOPTED</b> H-1233      PARADIS P H-965      MAJ REP
--	---	--

**SUMMARY**

The bill established the Victims' Compensation Board and the Victims' Compensation Fund.

The Victims' Compensation Fund is not funded from the General Fund, but from assessments added to the fine imposed on individuals convicted of crimes or adjudicated to have committed traffic infractions. The schedule of those assessments is as follows: \$20 for each felony; \$10 for each misdemeanor; and \$5 for each civil violation and traffic infraction. The bill provides that any excess funds in the Victims' Compensation Fund will be transferred to the General Fund on a quarterly basis.

The bill establishes a \$5,000 maximum award to provide a reasonable amount of compensation, while ensuring the availability of funds for as many victims as possible.

Federal legislation requires the Federal Government to reimburse a state 40% of the victim compensation payments actually made to victims, but only if the state law or the victim compensation plan meets