

# 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**

**Staff:**  
*Margaret J. Reinsch, Legislative Analyst*

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

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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  
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:

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

**LD 1822**

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

**CARRIED OVER**

SPONSOR(S)  
BOUTILIER  
BERUBE  
HOLLOWAY  
FARNSWORTH

COMMITTEE REPORT

AMENDMENTS ADOPTED

**SUMMARY**

The bill would enable 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 Board**

**CARRIED OVER**

SPONSOR(S)  
MACBRIDE  
COLLINS  
RICHARDS  
KETTERER

COMMITTEE REPORT

AMENDMENTS ADOPTED

**SUMMARY**

The bill would establish the Victims' Compensation Board and the Victims' Compensation Fund.

The Victims' Compensation Fund would be funded from assessments added to the fine imposed on individuals convicted of crimes or adjudicated to have committed traffic infractions. The bill would establish 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 provides for federal reimbursement of up to 40% to the state.

**LD 1838**

**An Act Amending the Definition of Murder in the First Degree to Include Homicide by Pattern or Practice of Assault or Torture of a Child under the Age of 16**

**CARRIED OVER**

SPONSOR(S)  
BOUTILIER  
HOLLOWAY  
CATHCART

COMMITTEE REPORT

AMENDMENTS ADOPTED

**SUMMARY**

The bill would provide that if there exists a pattern of assault or torture of a child under 16 years of age resulting in the death of the child under circumstances manifesting a depraved indifference to the value of human life, the assailant may be convicted of murder even though the assailant did not intend to cause the death of the child.