

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
116TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
JUDICIARY

JULY 1993

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**ONE HUNDRED AND SIXTEENTH LEGISLATURE  
FIRST REGULAR SESSION**

**JOINT STANDING COMMITTEE  
BILL SUMMARIES**

**JULY 1993**

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.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. 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:

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

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

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**LD 60**

**An Act Providing a Limitation on Actions against Land Surveyors**

PUBLIC 161

**SPONSOR(S)**  
CARROLL

**COMMITTEE REPORT**  
OTP-AM

**AMENDMENTS ADOPTED**  
H-154  
H-237 CARROLL

**SUMMARY**

The bill extends to land surveyors the limitation of civil actions that applies to architects and engineers.

Committee Amendment "A" (H-154) places the limitation of actions against land surveyors in a separate section of law to more appropriately distinguish their services from the services of design professionals. The amendment provides that an action for professional negligence against a licensed or registered land surveyor must be commenced within 4 years of discovery of the negligence and no more than 20 years after the completion of services or delivery of a plan.

House Amendment "A" to Committee Amendment "A" (H-237) adds an application clause.

**LD 64 An Act to Establish Minimum Sentence Enhancements for Repeated Convictions for Gross Sexual Assault**

PUBLIC 432

**SPONSOR(S)**  
OTT

**COMMITTEE REPORT**  
OTP-AM

**AMENDMENTS ADOPTED**  
H-441

**SUMMARY**

The bill establishes mandatory minimum sentences for repeat offenders convicted of gross sexual assault. The bill also specifies that when a person subject to a term of imprisonment for a violation of gross sexual assault is convicted of another violation of that crime, the sentences run consecutively.

Committee Amendment "A" (H-441) replaces the bill. It assigns specific terms of imprisonment for prior gross assault convictions to be considered as aggravating factors when the court follows the sentencing procedure set out by the Law Court.

**LD 74 An Act to Amend the Filing Requirements to Perfect a Security Interest in Consumer Goods**

PUBLIC 41

**SPONSOR(S)**  
BRANNIGAN

**COMMITTEE REPORT**  
OTP-AM

**AMENDMENTS ADOPTED**  
S-35

**SUMMARY**

The bill makes adjustment for inflation in the amount of a consumer goods purchase that is exempt from the financing statement requirements to perfect a security interest.

Committee Amendment "A" (S-35) adds a fiscal note.