

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
116TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
JUDICIARY

JULY 1993

Staff:
Margaret J. Reinsch, 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. Gerard P. Conley, Jr.*
Sen. Georgette B. Berube
Sen. Dana C. Hanley

**Rep. Constance D. Cote*
Rep. Susan Farnsworth
Rep. Mary R. Cathcart
Rep. Andrew Ketterer
Rep. Edward L. Caron, Jr.
Rep. Sean F. Faircloth
Rep. Jane W. Saxl
Rep. David N. Ott
Rep. Sumner H. Lipman
Rep. Debra D. Plowman

**Denotes Chair*

MARTHA E. FREEMAN, DIRECTOR
WILLIAM T. GLIDDEN, JR., PRINCIPAL ANALYST
JULIE S. JONES, PRINCIPAL ANALYST
DAVID C. ELLIOTT, PRINCIPAL ANALYST
MARION HYLAN BARR
JON CLARK
LISA COPENHAVER
DEBORAH C. FRIEDMAN
MICHAEL D. HIGGINS
JILL IPPOLITI



JOHN B. KNOX
ROY W. LENARDSON
PATRICK NORTON
JANE ORBETON
MARGARET J. REINSCH
PAUL J. SAUCIER

JOHN G. KELLEY, RESEARCHER
DARLENE A. SHORES LYNCH, RESEARCHER
CARRIE C. McFADDEN, RESEARCHER

STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107/135
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL: (207) 287-1670
FAX (207) 287-1275

**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&S XXX</i>	<i>Chapter # of enacted Private & 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 & 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.

4693NRG

LD 470 **An Act to Allow Service of Protective Orders on Sunday**

PUBLIC 101
EMERGENCY

SPONSOR(S)
OTT

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-156

SUMMARY

The bill allows the service of protection from harassment and protection from abuse orders on Sunday.

Committee Amendment "A" (H-156) adds an emergency preamble and an emergency clause to the bill.

LD 492 **An Act to Require Judges to Consider the Desirability of Financial Forfeitures**

PUBLIC 103

SPONSOR(S)
KETTERER
CONLEY

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-157

SUMMARY

The bill requires judges to review the possible sentencing options authorized by statute to encourage the use of fines as punishment, either alone or in addition to imprisonment.

Committee Amendment "A" (H-157) retains the original bill's purpose of requiring courts to at least consider imposing a fine when considering the appropriate punishment for any crime, unless no fine is authorized for that crime.

LD 500 **An Act to Prohibit the Stalking of an Individual**

ONTP

SPONSOR(S)
BRUNO

COMMITTEE REPORT
ONTP

AMENDMENTS ADOPTED

SUMMARY

The bill would have created the crime of stalking, using the California statute as a model.

See LD 1546.

LD 514 **An Act to Strengthen the State's Support Laws**

PUBLIC 105

SPONSOR(S)
MICHAEL
KUTASI

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-138

SUMMARY

The bill amends the criminal nonsupport of dependents laws by eliminating the requirement that the nonsupport result in the destitution of the dependents.

Committee Amendment "A" (H-138) replaces the bill. It repeals the provision in the Maine Revised Statutes, Title 19 making nonsupport of dependents a crime, because Title 17-A, section 552 already criminalizes the conduct and provides for extended probation to assist in enforcing support awards.