

# 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.

4693NRG

**LD 1227**

**An Act to Define the Liability of Gas Utilities and  
Natural Gas Pipeline Utilities**

CARRIED OVER

**SPONSOR(S)**  
BUTLAND

**COMMITTEE REPORT**

**AMENDMENTS ADOPTED**

**SUMMARY**

The bill provides for the allocation of liability involving gas or natural gas accidents. It creates a standard of care higher than ordinary due care.

**LD 1236**

**An Act to Add Legal Damages to the Remedies under the  
Maine Unfair Trade Practices Act**

ONTP

**SPONSOR(S)**  
MITCHELL E

**COMMITTEE REPORT**  
ONTP

**AMENDMENTS ADOPTED**

**SUMMARY**

The bill would have allowed attorney's fees to be awarded in cases involving unfair trade practices.

**LD 1243**

**An Act Concerning Child Sexual Abuse Laws**

CARRIED OVER

**SPONSOR(S)**  
CLARK

**COMMITTEE REPORT**

**AMENDMENTS ADOPTED**

**SUMMARY**

The bill strengthens existing laws against sexual abuse of minors in the following ways.

1. The bill increases from 16 to 18 the age below which there is no period of limitation on actions for prosecution for incest, rape or gross sexual assault.
2. The bill increases the classification one class for crimes of gross sexual assault or unlawful sexual conduct where the offender was in a position of authority over or has a legal responsibility of guardianship over the victim.
3. The bill sets minimum sentences of imprisonment for persons convicted of sexual abuse crimes.
4. The bill amends the restitution section to make explicit that the definition of "allowable expense" under the term "economic loss" includes the cost of counseling services for victims of sexual abuse crimes.
5. The bill explicitly requires consideration of a history of sexual abuse in court proceedings awarding custody and visitation rights.
6. The bill explicitly requires strict monitoring of attendance at counseling sessions for offenders on probation or parole serving sentences for convictions for child sexual abuse.