

MAINE STATE LEGISLATURE

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**STATE OF MAINE
118TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
JUDICIARY**

JULY 1997

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Sen. Lloyd P. LaFountain III

Sen. John W. Benoit

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ONE HUNDRED EIGHTEENTH LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS

Summary Of Legislation Before The Joint Standing Committees
August 1997

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized alphabetically by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

<i>CARRIED OVER</i>	<i>Bill carried over to Second Regular Session</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i>	<i>Committee report Ought To Pass In New Draft/New Title</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

David E. Boulter, Director
 Offices Located in the State House, Rooms 101/107/135

LD 1462 **An Act Regarding Responsibility for Payment of Alimony Fees in Proceedings to Modify a Divorce Decree** **ONTP**

<u>Sponsor(s)</u> CAMERON	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1462 proposed to make the moving party or petitioner seeking to alter a domestic relations judgment or decree responsible for at least 20% of the attorney's fees generated in filing and prosecuting the motion or petition, regardless of the moving party's or petitioner's ability to pay.

LD 1481 **An Act to Impose License Suspension and Other Sanctions on Those Who Fail to Pay Fines and Other Penalties** **ONTP**

<u>Sponsor(s)</u> MILLS	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1481 proposed to authorize the court to impose sanctions - including revocation of a person's motor vehicle, hunting, fishing and trapping licenses and registrations of motor vehicles, watercraft, snowmobiles and all-terrain vehicles - upon persons who refuse to pay the fines and forfeitures assessed against them for committing crimes and civil violations and failing to pay court-appointed counsel fees and restitution. It also proposed other changes to encourage and facilitate the enforcement of laws, including allowing law enforcement officers to prosecute traffic infractions if the officer is authorized to do so by the district attorney for that prosecutorial district. See also LD 1208.

LD 1482 **An Act to Expand the Duties of the Violations Bureau and Enhance the Enforcement of Civil Violations** **CARRIED OVER**

<u>Sponsor(s)</u> MILLS	<u>Committee Report</u>	<u>Amendments Adopted</u>
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LD 1482 proposes to expand the jurisdiction of the violations bureau of the District Court to include all civil violations, beginning July 1, 1998. This bill has been carried over to the Second Regular Session.

LD 1486 **An Act to Establish Victims' Rights Laws** **ONTP**

<u>Sponsor(s)</u> JOYCE	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1486 proposed to authorize victims of a crime, negligence or omission of duty to make a claim against the defendant to recover compensatory damages, punitive damages and attorney's fees.