

MAINE STATE LEGISLATURE

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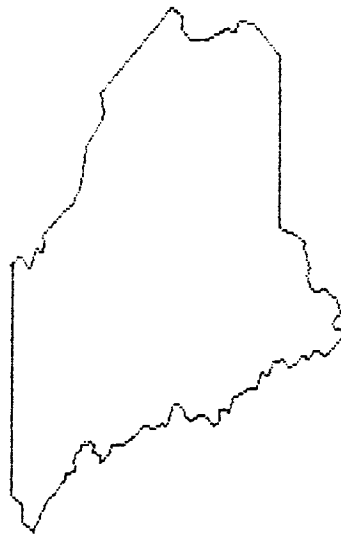


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STATE OF MAINE
ONE HUNDRED AND ELEVENTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON
Judiciary

BILL SUMMARY



JULY, 1983

Prepared by:

John R. Selser, Legislative Counsel
and
Martha E. Freeman, Legislative Counsel
Judiciary Committee

Office of Legislative Assistants
State House, Station 13 Augusta, Maine 04333
(207) 289-2486

907

AN ACT TO ELIMINATE REPORTS BY
DISTRICT ATTORNEYS TO THE ATTORNEY
GENERAL

Daggett

PL 1983, c. 216

SUMMARY: Removes from the statutes a requirement that the District Attorneys report each year to the Attorney General on the amount of business done in their offices. This requirement existed because the Attorney General was required by statute to report on this to the Governor. The requirement of reporting to the Governor was repealed in 1977, thus eliminating the need for the District Attorney to make their report.

942

AN ACT TO CLARIFY CITIZEN STANDING
IN ENVIRONMENTAL LITIGATION

Mitchell, J.

LV/WD

SUMMARY: Sought to provide citizens with more and easier involvement in administrative and judicial determinations involving state environmental laws. The bill deleted the requirement in current law that a person may petition the Board of Environmental Protection to reconsider its decision on an application for a permit under a state environmental law only if that person can show that he is aggrieved by the decision. Under the bill, then, any person would be able to petition for reconsideration. Also a person would no longer have to show he was aggrieved by a board decision in order to appeal to Superior Court. The bill also sought to create a right of action giving any person the ability to initiate a civil action to prosecute a violation of a statute, rule, or order related to protection of the environment. The committee suggested to the proponents and the Attorney General's office that they review the bill, current law, and the enforcement of environmental laws and report back on any agreed upon suggested changes.

966

AN ACT TO INCLUDE INTERPRETERS
FOR THE HEARING IMPAIRED WITHIN
THE EVIDENTIARY COMMUNICATIONS
PRIVILEGE

Hichens

PL 1983, c. 70
(new draft of
LD 171)

SUMMARY: Allows interpreters for the hearing impaired to assert a privilege regarding communications they have interpreted. They may refuse to disclose a communication which is privileged for the hearing impaired person. This protects the hearing impaired from having a privileged communication, e.g., attorney-client, disclosed by the interpreter to assert that privilege.

973

AN ACT TO CHANGE THE DEFINITION OF
FIREARM IN THE MARINE CRIMINAL CODE

Trafton

PL 1983, c. 219

SUMMARY: Removes from the Criminal Code's definition of "firearm" the requirement that the firearm was operable. This relieves prosecutors from having to prove beyond a reasonable doubt that a firearm was operable before the penalty enhancement involved in committing crimes with the use of a firearm may be applied.