

MAINE STATE LEGISLATURE

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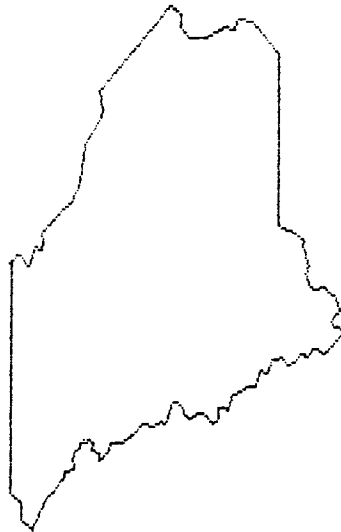


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STATE OF MAINE
ONE HUNDRED AND ELEVENTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON
Judiciary

BILL SUMMARY



JULY, 1983

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907 AN ACT TO ELIMINATE REPORTS BY Daggett PL 1983, c. 216
DISTRICT ATTORNEYS TO THE ATTORNEY
GENERAL

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 The requirement of reporting to the Governor was repealed in 1977, thus eliminating the need for the District Attorney to make their report.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 Mitchell, J. LV/WD
IN ENVIRONMENTAL LITIGATION

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 Hichens PL 1983, c. 70
FOR THE HEARING IMPAIRED WITHIN (new draft of
THE EVIDENTIARY COMMUNICATIONS ID 171)
PRIVILEGE

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 Trafton PL 1983, c. 219
FIREARM IN THE MARINE CRIMINAL CODE

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.