

MAINE STATE LEGISLATURE

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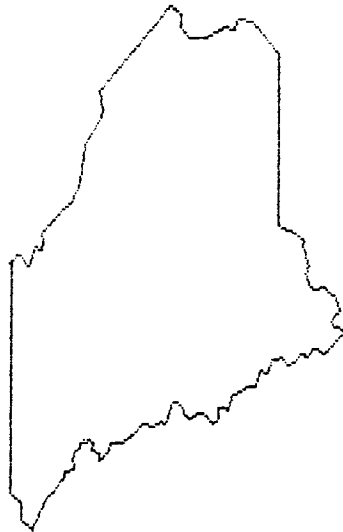


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STATE OF MAINE
ONE HUNDRED AND ELEVENTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON
Judiciary

BILL SUMMARY



JULY, 1983

Prepared by:

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Judiciary Committee

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974 AN ACT TO CREATE A STATE CIVIL RIGHTS LAW Trafton LV/WD

SUMMARY: Sought to establish a State remedy for violations of civil rights. It included a civil action in which an injunction, damages, or other civil remedy could have been sought, and a criminal action based on intentional or knowing use of force in trying to prevent someone from exercising his civil rights.

989 AN ACT RELATING TO SENTENCES FOR OPERATING UNDER THE INFLUENCE Higgins, L. ONTP

SUMMARY: Sought to require sentences of incarceration imposed for drunk driving to be served without undue delay and without regard to the convenience of the defendant. The defendant would have been required to show the court a compelling need to have his 48 hour sentence schedule delayed or modified.

992 RESOLVE, TO REIMBURSE DAVID JAMES MCDANIEL FOR DAMAGES SUFFERED AS A RESULT OF WRONGFUL IMPRISONMENT Martin, J. HELD IN COMMITTEE

SUMMARY: Sought the appropriation of \$100,000 to Mr. McDaniel. The bill is being held over so that his case may be looked into further and so that the possibility of creating a mechanism in Maine for addressing claims based on imprisonment of innocent persons, without resort to the Legislature, may be studied.

1016 AN ACT TO ESTABLISH NEW SELECTION PROCEDURES FOR THE MAINE INDIAN TRIBAL-STATE COMMISSION CHAIRMANSHIP Pearson PL 1983, c. 492

SUMMARY: Opens eligibility for chairmanship of the Maine Indian Tribal State Commission to all Maine residents, not just retired Judges. Requires the Governor to consult with the Governor of the Penobscot Nation and the Passamaquoddy Tribe prior to appointing an interim chairman, when an interim chairman is necessary. (The Penobscot Nation and the Passamaquoddy Tribe have approved this legislation).

1017 AN ACT RELATING TO THE INVESTMENT OF FUNDS IN LITIGATION Baldacci PL 1983, c. 266

SUMMARY: Permits the court, upon petition, to have funds in litigation, which were deposited with the clerk of courts in an appeal from a State Claims Board decision on just compensation for property taken, to be invested during the pendance of the appeal in a high interest account such as a certificate of deposit.