

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>

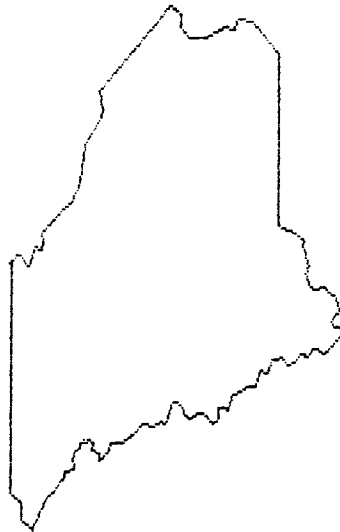


Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

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

1094 AN ACT TO AMEND CERTAIN ASPECTS OF POST-CONVICTION REVIEW Carroll,D. PL 1983, c. 235

SUMMARY: Amends a chapter detailing the procedures for post-conviction court review of criminal judgments and post-sentencing proceedings. The changes: add to the definition of "post-sentencing proceedings" court proceedings occurring after a default in payment of a criminal fine; rewrite the definition of "sentence" to include sentence imposed prior to the enactment of the Criminal Code and Juvenile Code; make it clear that a person petitioning for post-conviction review must demonstrate listed types of present restraint or impediment or else the court is without jurisdiction to entertain the petition.

1095 AN ACT TO AMEND THE INTERCEPTION OF WIRE AND ORAL COMMUNICATIONS LAW Carroll,D. PL 1983, c. 379

SUMMARY: Maine law prohibits the interception of wiretaps or oral communications and prohibits the contents of those interceptions to be used as evidence in court. This law allows such wire and oral communications to be used in Maine courts if it was legally obtained under the laws of any other jurisdiction.

1108 AN ACT TO STRENGTHEN THE PENALTIES FOR MISUSE OF NARCOTICS BY HEALTH PROFESSIONALS Carroll,D. PL 1983, c. 287

SUMMARY: Removes ambiguities in current law, making it clear that a health professional who trafficks in or furnishes narcotics outside the permitted scope of his license is guilty of a crime. Current law makes this the case for nonnarcotic drugs only, while abuse of more serious narcotics is a civil violation.

1113 AN ACT TO AMEND CERTAIN PROVISIONS OF THE LAWS DEFINING SEX OFFENSES Connolly PL 1983, c. 326

SUMMARY: Makes it a crime for a teacher or employer or other school official to have sexual relations or sexual contact with a student, under 18, enrolled in a school, facility, or institution. Consent of the student is not a defense to this crime.