

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 TWELFTH LEGISLATURE
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE ON
JUDICIARY
BILL SUMMARY



MAY 1986

PREPARED BY:

Martha E. Freeman, Legal Analyst

OFFICE OF POLICY AND LEGAL ANALYSIS
STATE HOUSE, STATION 13 AUGUSTA, MAINE 04333
(207) 289-1670



HELEN T. GINDER, DIRECTOR
HAVEN WHITESIDE, ASST. DIRECTOR
GILBERT W. BREWER
DAVID C. ELLIOTT
MARTHA E. FREEMAN
JERI B. GAUTSCHI
CHRISTOS GIANOPOULOS
WILLIAM T. GLIDDEN, JR.

STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL.: (207) 289-1670

JULIE S. JONES
JOHN B. KNOX
EDWARD POTTER
MARGARET J. REINSCH
LARS H. RYDELL
JOHN R. SELSER
ANDREA L. COLNES, Res. Asst.

ONE HUNDRED AND TWELFTH LEGISLATURE
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE
BILL SUMMARIES
MAY 1986

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature, covering the Second Regular Session of the 112th Legislature. The summaries are arranged by LD number under each committee.

All Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor if it is a floor amendment or the designation "CA" if it is a committee amendment. If the amendment was adopted in the House, the letter H appears after the sponsor. If it was adopted in the Senate, the letter S appears.

Final action for each bill is listed to the right of the title. If final House action and Senate action differ, both are listed.

Key to Committee Reports and Floor Action:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-AM	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

approval, to a municipality or county which contributed to the investigation of the criminal case to which the property is related. The court may order forfeiture of other property to the General Fund accomplished by sale at public auction; with the approval of the Attorney General, to a state agency, municipality or county which contributed to the pertinent criminal investigation; or to a municipality or county which contributed to the pertinent criminal investigation after the property has been turned into money at public auction and with the Attorney General's approval.

Under the bill, the approval of other governmental bodies must be had before certain property forfeited may be accepted by the agency to which it is forfeited. When an asset is forfeited to other than the General Fund, the title transfers only when:

1. The Legislature approves the transfer of an asset forfeited to a state agency;
2. The county commissioners approve the transfer of an asset forfeited to a county agency; or
3. The elected governing body of a municipality approves the transfer of an asset forfeited to a municipal agency.

LD
2141

AN ACT TO PERMIT THE SUPREME JUDICIAL COURT
TO AUTHORIZE EMPLOYEES OF THE BUREAU OF
TAXATION AND THE BUREAU OF EMPLOYMENT
SECURITY TO PARTICIPATE IN COURT PROCEEDINGS

PL 1985
c. 598

Sponsor: CASHMAN, Twitchell, Beaulieu, Kane
Committee Report: New Draft of LD 1931.

SUMMARY: This bill allows employees of the Bureau of Employment Security and the Bureau of Taxation to represent their respective bureaus in certain court proceedings even though they are not attorneys. This representation may only occur under the following conditions:

Only upon promulgation of and in accordance with rules adopted by the Supreme Judicial Court may employees of the Bureau of Employment Security serve civil process and represent the Department of Labor in civil disclosure hearings, and may employees of the Bureau of Taxation serve civil process and represent the State in civil disclosure hearings and appear in arraignments concerning tax law violations under the Maine Revised Statutes, Title 4, section 807-A. These rules must establish standards and a method to certify employees as being familiar with court procedures. These provisions are repealed on April 1, 1988.