

MAINE STATE LEGISLATURE

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**STATE OF MAINE
115TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
JUDICIARY**

AUGUST 1991

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**ONE HUNDRED AND FIFTEENTH LEGISLATURE
FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION
JOINT STANDING COMMITTEE
BILL SUMMARIES
AUGUST 1991**

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. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H - 584 or S - 222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

PUBLIC XXX	<i>Chapter # of enacted Public Law</i>
P&S XXX	<i>Chapter # of enacted Private & Special Law</i>
RESOLVE XXX	<i>Chapter # of enacted Resolve</i>
CON RES XXX	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
EMERGENCY	<i>Enacted law takes effect sooner than 90 days</i>
CARRIED OVER	<i>Bill carried over to 2nd Session</i>
FAILED EMERGENCY ENACTMENT	<i>Bill failed to get 2/3 vote</i>
ONTP	<i>Ought Not to Pass report accepted</i>
LVWD	<i>Leave to Withdraw report accepted</i>
INDEF PP	<i>Bill Indefinitely Postponed</i>
DIED BETWEEN BODIES	<i>House & Senate disagree; bill died</i>
VETO SUSTAINED	<i>Legislature failed to override Governor's Veto</i>
UNSIGNED	<i>Not signed by Governor within 10 days</i>
DIED ON ADJOURNMENT	<i>Action incomplete when 1st session ended</i>

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

If you have any suggestions or comments on these summaries, please let us know.

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
CARROLL D MILLS PARADIS P GAUVREAU	OTP-AM	H-290

SUMMARY

The bill revises language that regulates the inspection and removal of pharmacy and drug wholesaler records by all law enforcement personnel. It expands the amount of time the pharmacy records can be removed for testing and duplication. It provides that photocopies of records furnished by investigators constitute a legal substitute for purposes of compliance with any other law or rule.

Committee Amendment "A" (H-290) changes the procedures to be followed by the law enforcement officers and prosecutors when investigating prescriptions for scheduled drug and controlled substance violations. It also limits persons who may inspect and remove records to the Board of Commissioners of the Profession of Pharmacy, the board's inspectors and investigators, specific federal and state law enforcement officers and other law enforcement officers authorized to act by the Attorney General.

LD 632 An Act to Provide for More Substantial Penalties for Assaults Against Certain Agents of the Department of Human Services

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
PENDEXTER BOUTILIER GILL GAUVREAU	LV/WD	

SUMMARY

The bill would have raised assault from a Class D crime to a Class C crime if the assault is on a child welfare or adult protective social worker, a Department of Human Services enforcement agent or special investigator or a supervisor.

LD 638 An Act Regarding Proceedings of the Board of Overseers of the Bar (By Request)

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
COLES JACQUES	ONTP	

SUMMARY

The bill would have required that any hearing by the Board of Overseers of the Bar involving charges of attorney misconduct be conducted as an open proceeding.