

# 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  
115TH LEGISLATURE**

**FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION**

**BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
JUDICIARY**

**AUGUST 1991**

**MEMBERS:**

**\*Sen. N. Paul Gauvreau  
Sen. Georgette B. Berube  
Sen. Muriel D. Holloway**

**\*Rep. Patrick E. Paradis  
Rep. Constance D. Cote  
Rep. Patricia M. Stevens  
Rep. Cushman D. Anthony  
Rep. Susan Farnsworth  
Rep. Mary R. Cathcart  
Rep. Andrew Ketterer  
Rep. Dana C. Hanley  
Rep. John H. Richards  
Rep. David N. Ott**

**Staff:**

**Margaret J. Reinsch, Legislative Analyst**

**Office of Policy and Legal Analysis  
Room 101, State House Station 13  
Augusta, ME 04333  
(207) 289-1670**

**\*Denotes Chair**

MARTHA E. FREEMAN, DIRECTOR  
WILLIAM T. GLIDDEN, JR., PRINCIPAL ANALYST  
ULIE S. JONES, PRINCIPAL ANALYST  
DAVID C. ELLIOTT, PRINCIPAL ANALYST  
DON CLARK  
DYAN M. DYTTER  
BRO FLATEBO  
DEBORAH C. FRIEDMAN  
MICHAEL D. HIGGINS  
KANE ORBETON



KAREN L. HRUBY  
JILL IPPOLITI  
JOHN B. KNOX  
PATRICK NORTON  
MARGARET J. REINSCH  
PAUL J. SAUCIER  
HAVEN WHITESIDE  
MILA M. DWELLEY, RES. ASST.  
ROY W. LENARDSON, RES. ASST.  
BRET A. PRESTON, RES. ASST.

STATE OF MAINE  
OFFICE OF POLICY AND LEGAL ANALYSIS  
ROOM 101/107/135  
STATE HOUSE STATION 13  
AUGUSTA, MAINE 04333  
TEL.: (207) 289-1670

**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:

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

LD 1786

**An Act to Improve the Execution and Administration of Arrest Warrants and Implement the Recommendations of the Warrants Subcommittee of the Commission to Implement the Computerization of Criminal History Record Information**

PUBLIC 402

SPONSOR(S)  
BRANNIGAN  
PARADIS P  
COTE

COMMITTEE REPORT  
OTP-AM

AMENDMENTS ADOPTED  
S-264

**SUMMARY**

The bill implements several of the recommendations of the Warrants Subcommittee of the Commission to Implement the Computerization of Criminal History Record Information as established by the 112th Legislature. The bill provides a uniform and consistent procedure for the courts and various law enforcement agencies to follow regarding the identification and location of warrants, their prompt and efficient enforcement and their prompt and accurate cancellation and recall.

Committee Amendment "A" (S-264) alters the bill by requiring police and sheriff departments and their officers, rather than all law enforcement officers, to use all reasonable efforts to execute outstanding arrest warrants. The amendment allows the Department of Corrections to enter warrants in the National Crime Information Center data base when those warrants are issued for violations of probation and parole or for escape. The amendment also provides that the Attorney General, a district attorney or their designees may grant to an investigating agency permission to possess a warrant for a period of up to 5 days beyond the 5-day period already provided for in the bill. The amendment makes other changes for clarity.

LD 1791

**An Act to Clarify Implied or Legal Malice for the Purpose of Awarding Punitive Damages**

CARRIED OVER

SPONSOR(S)  
CONLEY

COMMITTEE REPORT

AMENDMENTS ADOPTED

**SUMMARY**

The bill would establish by statute the standard for implied or legal malice in actions involving corporations or motor vehicle operators in which punitive damages are sought.

LD 1795

**An Act to Amend the Laws Pertaining to Certification of Law Enforcement Canines**

ONTP

SPONSOR(S)  
O'DEA  
PARADIS P  
HOLLOWAY  
STEVENS P

COMMITTEE REPORT  
ONTP

AMENDMENTS ADOPTED

**SUMMARY**

The bill would have specified the different organizations that can certify a dog in order for the dog to be considered certified for law enforcement use.