

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
116TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
JUDICIARY

JULY 1993

**Staff:**  
*Margaret J. Reinsch, Legislative Analyst*  
*Julie S. Jones, Principal Analyst*

*Office of Policy and Legal Analysis*  
*Room 101, State House Station 13*  
*Augusta, ME 04333*  
*(207)287-1670*

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DARLENE A. SHORES LYNCH, RESEARCHER  
CARRIE C. McFADDEN, RESEARCHER

STATE OF MAINE  
OFFICE OF POLICY AND LEGAL ANALYSIS  
ROOM 101/107/135  
STATE HOUSE STATION 13  
AUGUSTA, MAINE 04333  
TEL: (207) 287-1670  
FAX (207) 287-1275

**ONE HUNDRED AND SIXTEENTH LEGISLATURE  
FIRST REGULAR SESSION**

**JOINT STANDING COMMITTEE  
BILL SUMMARIES**

**JULY 1993**

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.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. 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:

<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>P&amp;S XXX</i>	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of enacted Resolve</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>CARRIED OVER</i>	<i>Bill carried over to Second Session</i>
<i>ONTP</i>	<i>Ought Not to Pass report accepted</i>
<i>ENACTMENT FAILED</i>	<i>Bill failed to get majority vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>FAILED EMERGENCY ENACTMENT</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>DIED BETWEEN BODIES</i>	<i>House &amp; Senate disagree; bill died</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference formed but unable to agree</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>
<i>UNSIGNED</i>	<i>Not signed by Governor within 10 days</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</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.

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

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**LD 787**      **An Act for the Return of Stolen Property Retained as Evidence**      ONTP

<b>SPONSOR(S)</b> KETTERER	<b>COMMITTEE REPORT</b> ONTP	<b>AMENDMENTS ADOPTED</b>
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**SUMMARY**

The bill would have provided that after examination time has elapsed, stolen property held by the police must be released to the person making the request for the property, unless the court determines that retention of the property is in the interest of justice.

**LD 803**      **An Act to Provide Immunity for Private Physicians in Public Hospitals**      PUBLIC 336

<b>SPONSOR(S)</b> BALDACCI	<b>COMMITTEE REPORT</b> OTP-AM	<b>AMENDMENTS ADOPTED</b> H-480   LIPMAN S-196
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**SUMMARY**

The bill provides physicians contracting with the Department of Mental Health and Mental Retardation the same protection under the Maine Tort Claims Act, as contractors with nonstate mental institutions have under the Maine Revised Statutes, Title 34-B, section 3861, subsection 1.

Committee Amendment "A" (S-196) removes unnecessary words from the bill.

House Amendment "A" (H-480) clarifies the application to patients within the state institute.

**LD 808**      **An Act to Eliminate the Automatic Issuance of Conditional Withholding Orders**      PUBLIC 190

<b>SPONSOR(S)</b> FAIRCLOTH	<b>COMMITTEE REPORT</b> OTP-AM	<b>AMENDMENTS ADOPTED</b> H-234
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**SUMMARY**

The bill eliminates the automatic issuance of a conditional withholding order and provides for its issuance in only those cases in which someone intends to use it.

Committee Amendment "A" (H-234) adds a fiscal note.

**LD 811**      **An Act Regarding Judicial Branch Publications**      PUBLIC 172

<b>SPONSOR(S)</b> SAXL	<b>COMMITTEE REPORT</b> OTP-AM	<b>AMENDMENTS ADOPTED</b> H-233
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**SUMMARY**

The bill gives the judicial branch the authority to charge for its publications and to place all money received from the sale of the publications into a fund for use by the State Court Administrator to replace and update publications and to fund new publications.

Committee Amendment "A" (H-233) adds an allocation and a fiscal note.