

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
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*

MEMBERS:

**Sen. Gerard P. Conley, Jr.
Sen. Georgette B. Berube
Sen. Dana C. Hanley*

**Rep. Constance D. Cote
Rep. Susan Farnsworth
Rep. Mary R. Cathcart
Rep. Andrew Ketterer
Rep. Edward L. Caron, Jr.
Rep. Sean F. Faircloth
Rep. Jane W. Saxl
Rep. David N. Ott
Rep. Sumner H. Lipman
Rep. Debra D. Plowman*

**Denotes Chair*

MARTHA E. FREEMAN, DIRECTOR
WILLIAM T. GLIDDEN, JR., PRINCIPAL ANALYST
JULIE S. JONES, PRINCIPAL ANALYST
DAVID C. ELLIOTT, PRINCIPAL ANALYST
MARION HYLAN BARR
JON CLARK
LISA COPENHAVER
DEBORAH C. FRIEDMAN
MICHAEL D. HIGGINS
JILL IPPOLITI



JOHN B. KNOX
ROY W. LENARDSON
PATRICK NORTON
JANE ORBETON
MARGARET J. REINSCH
PAUL J. SAUCIER

JOHN G. KELLEY, RESEARCHER
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:

PUBLIC XXX

P&S XXX

RESOLVE XXX

CON RES XXX

EMERGENCY

CARRIED OVER

ONTP

ENACTMENT FAILED

INDEF PP

FAILED EMERGENCY ENACTMENT

FAILED MANDATE ENACTMENT

DIED BETWEEN BODIES

CONF CMTE UNABLE TO AGREE

VETO SUSTAINED

UNSIGNED

DIED ON ADJOURNMENT

Chapter # of enacted Public Law

Chapter # of enacted Private & Special Law

Chapter # of enacted Resolve

Chapter # of Constitutional Resolution passed by both Houses

Enacted law takes effect sooner than 90 days

Bill carried over to Second Session

Ought Not to Pass report accepted

Bill failed to get majority vote

Bill Indefinitely Postponed

Emergency bill failed to get 2/3 vote

Bill imposing local mandate failed to get 2/3 vote

House & Senate disagree; bill died

Committee of Conference formed but unable to agree

Legislature failed to override Governor's Veto

Not signed by Governor within 10 days

Action incomplete when session ended; bill died

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.

4693NRG

interbranch forum as a method of ensuring communication and coordination among the 3 branches of government.

Part G establishes two legislative studies to be undertaken by the Joint Standing Committee on Judiciary. One explores the use of nonlawyers in providing assistance to people in court. The other looks at screening of indigent parties and representation of those parties determined to be indigent.

The full recommendations of the Commission to Study the Future of Maine's Courts are contained in the commission's final report New Dimensions of Justice, February 28, 1993.

See LD 1553.

**LD 1369 An Act to Abolish Secrecy in the Courts on Matters of
Public Health or Safety**

CARRIED OVER

SPONSOR(S)
CONLEY

COMMITTEE REPORT

AMENDMENTS ADOPTED

SUMMARY

The bill prohibits courts from ordering the restraint of information relating to the public health or safety used or obtained in a lawsuit based on a claim of product liability.

**LD 1371 An Act to Implement the Recommendations of the Special
Commission on Governmental Restructuring Pertaining to the
Judicial Branch**

CARRIED OVER

SPONSOR(S)
CONLEY
LIPMAN

COMMITTEE REPORT

AMENDMENTS ADOPTED

SUMMARY

The bill implements the recommendations of the Special Commission on Governmental Restructuring that affect the Judicial Department. It was submitted by the Judicial Department.

The bill places all administrative personnel in the Judicial Department under the supervision of the State Court Administrator and requires the State Court Administrator to make recommendations to the Chief Justice of the Supreme Judicial Court for the improvement of the administration and management of the court system. The State Court Administrator is also required to develop and recommend to the Chief Justice a long-range plan for the Judicial Department and the operation of the courts.

The bill also requires the Governor, when preparing budget bills for submission to the Legislature, to include the full budget requests made by the Judicial Department as well as the Governor's budget recommendations for the Judicial Department.

The bill repeals the Maine Revised Statutes, Title 4, section 26, which requires the Judicial Department to use executive branch central office services, such as expenditure controls, to permit the Judicial Department to maintain control over its own expenditures.