

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
104th LEGISLATURE

HOUSE AMENDMENT "A " to H. P. 769, L. D. 1002, Bill, "AN  
ACT to Provide for the Interception of Wire and Oral Communications."

Amend said Bill in that part designated "§ 711" by striking  
out all of subsection 7 and inserting in place thereof the  
following (same in L.D.):

'7. Exceptions. Notwithstanding any other provision of this  
chapter, any law enforcement officer, specially designated by  
the Attorney General, who reasonably determines that:

A. An emergency situation exists with respect to conspiratorial  
activities characteristic of organized crime that requires a  
wire or oral communication to be intercepted before an order  
authorizing such interception can with due diligence be  
obtained; and

B. There are grounds upon which an order could be entered  
under this chapter to authorize such interception, may  
intercept such wire or oral communication if an application  
for an order approving the interception is made in accordance  
with this section within 48 hours after the interception has  
occurred, or begins to occur. In the absence of an order,  
such interception shall immediately terminate when the  
communication sought is obtained or when the application for  
the order is denied, whichever is earlier. In the event  
such application for approval is denied, or in any other case

(Filing No. H-461)

where the interception is terminated without an order having  
been issued, the contents of any wire or oral communication  
intercepted shall be treated as having been obtained in  
violation of this chapter, and an inventory shall be served  
as provided for in subsection 8 on the person named in the  
application.'

Filed by Mr. Richardson of Cumberland.

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