

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
107TH LEGISLATURE
FIRST SPECIAL SESSION

(Filing No. H-1017)

COMMITTEE AMENDMENT " A" to H.P. 2033, L.D. 2205, Bill,
"AN ACT to Amend the Rules for Legislative Investigating
Committees."

Amend said Bill in section 2 by striking out everything
after the amending clause and inserting in place thereof the
following:

'The chairman shall be appointed by the Speaker of the House
and the President of the Senate or, if they are unable to agree
on such appointment by the date the investigating committee
holds its first meeting, the chairman shall be elected by the
affirmative votes of a majority of committee members. The
chairman may designate another committee member to be temporary
chairman in the absence of the chairman.'

Further amend said Bill in section 27 by striking out
everything after the amending clause and inserting in place
thereof the following:

'§459. Rights of persons referred to in executive session testimony

If any person is specifically identified in testimony taken
before an investigating committee in executive session, the
committee may notify such person by registered mail or personally
that he has been so identified and may provide in the notice a
transcript of the testimony relating to him. Such person may within
10 days of receipt of notice request an opportunity to appear
before the committee as an interested party. If the person is not

notified as provided in this section, or if his request to appear before the committee is not granted as provided in section 458, that part of the testimony in which the witness was specifically identified or which makes identification possible shall not be used in the report of the committee, shall be deleted from the records of the committee and shall not be used as the basis of, or be admissible as evidence in proceedings relating to any criminal charge against such person.'

Further amend said Bill by striking out all of section 28.

Statement of Fact

The purposes of this amendment are to provide that the chairman of an investigating committee be appointed by the President of the Senate and Speaker of the House or, if they cannot agree, then by election by a majority of the members of the investigating committee and to delete the provision which would give legislative investigating committees the authority to grant use immunity from criminal prosecution and for clarification purposes.

Reported by the Minority of the Committee on Judiciary.

Reproduced and distributed under the direction of the Clerk of the House.

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