

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
108TH LEGISLATURE
FIRST REGULAR SESSION

(Filing No. H-91)

COMMITTEE AMENDMENT "A " to H.P. 329, L.D. 420, Bill, "AN ACT
Relating to Payment of Expenses for Examination of Crime Victims."

Amend the Bill by striking out everything after the enacting
clause and inserting in its place the following:

'30 MRSA §507, as enacted by PL 1975, c. 415, is repealed
and the following enacted in its place:

§507. Physical examination of crime victims

1. Payment of expenses by district attorney. In all cases
of alleged rape, gross sexual misconduct, sexual abuse of minors
and assault when serious bodily injury has been inflicted,
which are reported to a law enforcement officer, the office
of the district attorney of the county in which the alleged crime
occurred shall pay all expenses for a physical examination of
a victim of the alleged crime which is conducted for the purpose
of obtaining evidence for the prosecution.

2. Limitation. In no event shall the office of the district
attorney be liable for payment of any charges, costs or fees
for an examination pursuant to subsection 1 until such time as
the district attorney has received copies of all reports and
records pertaining/^{to} and relevant to the examination, if the copies
have been requested.

3. Liability in damages of medical personnel for furnishing
reports, records or testimony. No physician, nurse, hospital, clinic
or any other person, firm or corporation attending a victim pursuant

to subsection 1 shall be liable in damages or otherwise for providing reports or records or copies thereof or for their testimony thereto relative to any examination performed pursuant to this section when such reports, records or testimony are provided to a district attorney, a law enforcement officer or a court for the purpose of prosecuting the alleged crime, whether or not such reports, records or testimony are provided with the written authorization of the victim so examined. This limitation on liability shall apply only in the circumstances in this subsection.'

Statement of Fact

This amendment inserts the correct terminology of the criminal code in subsection 1 and also clarifies the other wording of the subsection. In subsection 3, the limitation on liability for medical personnel for furnishing reports or testimony is more carefully defined and restricted.

Reported by the Committee on Judiciary.

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

3/30/77

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