

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 1015

6
7 S.P. 341

In Senate, March 4, 1983

8 Submitted by the Department of Public Safety pursuant to Joint Rule 24.
9 Referred to the Committee on Judiciary. Sent down for concurrence and
ordered printed.

10 JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Trafton of Androscoggin.

Cosponsors: Representative Soule of Westport and Senator Collins of
11 Knox.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT to Amend the Laws Relating to
18 Admissible Evidence.
19

20 Be it enacted by the People of the State of Maine as
21 follows:

22 15 MRSA §710, sub-§3, as repealed and replaced by
23 PL 1979, c. 663, §97, is amended to read:

24 3. Disclosure, or use of wire or oral communica-
25 tions prohibited. A person is guilty of a Class C
26 crime if he:

27 A. Intentionally or knowingly discloses or
28 attempts to disclose to any person the contents
29 of any wire or oral communication, knowing that
30 the information was obtained through intercep-
31 tion; or

1 B. Intentionally or knowingly uses or attempts
2 to use the contents of any wire or oral communi-
3 cation, knowing that the information was obtained
4 through interception.

5 Information obtained from the use of a court author-
6 ized wire or oral interception in another state or
7 jurisdiction may be used in any criminal or civil
8 proceeding in this State.

9 STATEMENT OF FACT

10 Current law provides that information obtained by
11 a legal court authorized wire interception in another
12 state or country cannot be used as evidence in Maine.
13 Presently, information is developed from time to time
14 concerning smuggling operations which involve several
15 states, resulting in arrests, seizures and confisca-
16 tion of large sums of money in Maine. Without
17 authority to use this type of evidence in Maine,
18 moneys and other evidence must be turned over to fed-
19 eral agencies for seizure.

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