

MAINE STATE LEGISLATURE

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ONE HUNDRED AND ELEVENTH LEGISLATURE
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE
BILL SUMMARIES
JUNE 1984

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees of the Maine Legislature, covering the Second Regular Session of the 111th Legislature. The summaries are arranged alphabetically, and indexed separately by committee.

<u>I.D</u>	<u>TITLE</u>	<u>SPONSOR</u>	<u>DISPOSITION</u>
2252	AN ACT TO REPEAL A STATUTE WHICH HAS BEEN DECLARED UNCONSTITUTIONAL.	Hobbins	PL 1983, c. 714

SUMMARY: The statute repealed by this bill authorized the Department of Corrections to file a petition in the sentencing court to resentence a prisoner who had made "progress toward a noncriminal way of life". This statute was declared unconstitutional by the Supreme Judicial Court as an attempt to invest the judiciary with power expressly and exclusively granted by the Maine Constitution to the Governor.

2253	RESOLUTION, PROPOSING AN AMENDMENT TO THE CONSTITUTION OF MAINE TO PROVIDE FOR AN EXPRESS STATEMENT OF THE RIGHT TO BAIL AND AUTHORIZING THE DENIAL OF BAIL IN CERTAIN CASES	Hobbins	LV/WD
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SUMMARY: This resolution was submitted by the Governor's Commission studying bail laws. It was designed to amend the Constitutional provisions regarding bail. It would expressly recognize the authority of the courts to deny bail in certain cases (serious crimes) when there is a "risk of nonappearance for court proceedings, [a risk of] the commission of another such offense, or a threat to the integrity of the judicial process." Legislation conforming the bail statutes would be necessary if the amendment were ratified. The bill was withdrawn when it became clear that the commission disagreed on the language and the committee desired more data on the statutory changes necessary.

2254	AN ACT TO CLARIFY ABROGATION OF PRIVILEGED COMMUNICATIONS	Thompson	PL 1983, c. 781
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SUMMARY: As amended by the Committee, this bill corrects a citation in and to the education statutes to make it clear that schools shall release information regarding students when necessary to comply with requirements of the Child and Family Services and Child Protection Act concerning mandatory reporting of suspected child abuse or neglect and participation in child protection investigations and proceedings.