

MAINE STATE LEGISLATURE

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STATE OF MAINE
ONE HUNDRED AND TWELFTH LEGISLATURE
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE ON
JUDICIARY
BILL SUMMARY



MAY 1986

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ONE HUNDRED AND TWELFTH LEGISLATURE
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JOINT STANDING COMMITTEE
BILL SUMMARIES
MAY 1986

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature, covering the Second Regular Session of the 112th Legislature. The summaries are arranged by LD number under each committee.

All Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor if it is a floor amendment or the designation "CA" if it is a committee amendment. If the amendment was adopted in the House, the letter H appears after the sponsor. If it was adopted in the Senate, the letter S appears.

Final action for each bill is listed to the right of the title. If final House action and Senate action differ, both are listed.

Key to Committee Reports and Floor Action:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-AM	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

LD
1007

RESOLUTION, PROPOSING AN AMENDMENT TO THE
CONSTITUTION OF MAINE TO PROVIDE FOR A CLEAR
RIGHT TO BAIL WITH A POSSIBLE DENIAL OF BAIL
IN CERTAIN CASES

LVWD

Sponsor: TRAFTON, Drinkwater, Najarian
Committee Report: LVWD

SUMMARY: LD 1007 was carried over from the First Regular Session. It sought to put out to referendum a proposed constitutional amendment (amending Article I, Section 10 of the Maine Constitution) permitting the Legislature to authorize denial of bail or other release prior to conviction in cases of crimes punishable by life imprisonment or serious crimes against other persons. The Legislature, under this proposal, could authorize a court to deny release if the court finds, by clear and convincing evidence, that the accused committed the crime, and if it finds that denial of release is necessary to protect adequately members of the community from serious bodily injury, or to prevent adequately the intimidation of witnesses or jurors. The bill was withdrawn under the same reasoning applied to LD 905.

LD AN ACT TO AMEND THE MEDICAL EXAMINER ACT AND
1218 RELATED PROVISIONS

PL 1985
c. 611

Sponsor: PAUL, Ridley, Gwadosky, Trafton
Committee Report: OTP-AM

H-530 CA H S
S-383 TRAFTON
S-405 TRAFTON H S

SUMMARY: LD 1218, carried over from the First Regular Session, modernizes the structure of the Medical Examiner's Office and, in some respects, broadens the medical examiner's powers.

The medical examiner system has two functions: 1) to rule out criminal and civil concerns in the cause of death, and 2) to complete the documentation of the fact and cause of death for the State. LD 1218 includes the following:

1. Establishment of a procedure for correcting errors on death certificates.
2. Establishment of appointment procedures and qualifications for the Chief Medical Examiner and deputy medical examiners. The Chief Medical Examiner must be