

MAINE STATE LEGISLATURE

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STATE OF MAINE
ONE HUNDRED AND TWELFTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON
JUDICIARY
BILL SUMMARY



JULY, 1985

Prepared by:

Martha Freeman, Legislative Assistant
Office of Legislative Assistants
State House, Station 13 Augusta, Maine 04333
(207) 289-1670



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STATE OF MAINE
OFFICE OF LEGISLATIVE ASSISTANTS
ROOM 101
STATE HOUSE, STATION 13
AUGUSTA, MAINE 04333
TEL.: (207) 289-2486

SARAH HOOKE
JULIE S. JONES
JOHN B. KNOX
EDWARD POTTER
MARGARET J. REINSCH
LARS RYDELL
JOHN SELSER
ANDREA COLNES, RES. ASST.

ONE HUNDRED AND TWELFTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE
BILL SUMMARIES
JULY 1985

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

SUMMARY:

Amends the procedure for judicial certification of the residence of a client of a mental health or retardation facility in that facility. Before certifying residence, the court must find, among other things, that there is no less restrictive care possible or currently available. If the court finds that less restrictive care is not currently available, the certification may remain in effect only until a less restrictive care alternative becomes available, or for up to 6 months. After 6 months passes, the court may not recertify residence in the facility unless the petition for recertification contains a written report from the Commissioner of Mental Health and Mental Retardation detailing actions taken to find or develop an alternative setting for the client.

LD: 1364 AN ACT ESTABLISHING A COMMISSION TO STUDY CHALMERS
EMERGENCY FAMILY MATTERS IN COURT AND THE ESTABLISHMENT CARPENTER
OF A FAMILY DIVISION OF COURT KANE
FOSTER

OTP-AM HOUSE Emerg. Enacted P AND S
SENATE Emerg. Enacted CH # 65
GOV EMER SIGNED
S-291 CA H S
S-310 SA/CA CHALMERS

SUMMARY:

Establishes a Commission, consisting of legislators, attorneys, court personnel, judicial advisors, and others, to study the handling of family matters in Maine courts. To report to the Legislature by March 1986.

LD: 1386 AN ACT TO PROTECT ABUSED CHILDREN STEVENS P
CARPENTER
MELENDY
KIMBALL

OTP-AM HOUSE Enacted PUBLIC
SENATE Enacted CH # 495
GOV SIGNED
H-426 CA H S

SUMMARY:

Makes the following changes in Maine law concerning child abuse to help prevent abuse and to help victims of abuse:

1. Expands the use of out-of-court children's testimony in criminal trials concerning sexual abuse by lowering the standard which the judge uses to determine whether a child would be harmed by testifying in open court.