

# 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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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

The bill also makes it clear that evidence gathered during an investigation of a discrimination complaint may be used as evidence in any subsequent civil or criminal proceeding, unless the evidence comes within the exception regarding confidentiality of settlement negotiations.

**LD 1770** AN ACT REGARDING CERTIFICATION RECORDS OF PL 1985  
MINORITY BUSINESS ENTERPRISES, WOMEN'S BUSINESS c. 587  
ENTERPRISES AND DISADVANTAGED BUSINESS  
ENTERPRISES TO BE CONFIDENTIAL

Sponsor: ALLEN, Priest, Mills, Warren  
Committee Report: OTP

SUMMARY: Under federal law, state agencies are required to see that construction and construction-related firms which are owned and controlled by minorities, women and other disadvantaged groups have the opportunity to participate in federally-funded transportation projects. In certifying these firms as eligible, state agencies obtain from applicants certain records which are considered confidential business records. This bill prevents public disclosure of this information.

**LD 1785** AN ACT TO PROVIDE IMMUNITY FROM CIVIL PL 1985  
LIABILITY FOR COURT MEDIATORS c. 562

Sponsor: CARPENTER  
Committee Report: OTP-AM

S-380 CA H S

SUMMARY: LD 1785 provides court mediators with immunity from liability for negligent quasi-judicial, quasi-legislative, and discretionary acts committed within the scope of their duties as mediators. This immunity is similar to the immunity provided state employees under the Maine Tort Claims Act.

**LD 1786** AN ACT CONCERNING MENTAL EXAMINATION OF PL 1985  
INCARCERATED PERSONS ACCUSED OF CRIME c. 630

Sponsor: TRAFTON, Warren  
Committee Report: OTP-AM, ONTP

S-425 CA H S

SUMMARY: This bill provides that if a defendant is incarcerated, preliminary mental examinations to determine