

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

STATE OF MAINE  
ONE HUNDRED AND TWELFTH LEGISLATURE  
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE ON  
JUDICIARY  
BILL SUMMARY



MAY 1986

PREPARED BY:

Martha E. Freeman, Legal Analyst

OFFICE OF POLICY AND LEGAL ANALYSIS  
STATE HOUSE, STATION 13 AUGUSTA, MAINE 04333  
(207) 289-1670



HELEN T. GINDER, DIRECTOR  
HAVEN WHITESIDE, ASST. DIRECTOR  
GILBERT W. BREWER  
DAVID C. ELLIOTT  
MARTHA E. FREEMAN  
JERI B. GAUTSCHI  
CHRISTOS GIANOPOULOS  
WILLIAM T. GLIDDEN, JR.

STATE OF MAINE  
OFFICE OF POLICY AND LEGAL ANALYSIS  
ROOM 101/107  
STATE HOUSE STATION 13  
AUGUSTA, MAINE 04333  
TEL.: (207) 289-1670

JULIE S. JONES  
JOHN B. KNOX  
EDWARD POTTER  
MARGARET J. REINSCH  
LARS H. RYDELL  
JOHN R. SELSER  
ANDREA L. COLNES, Res. Asst.

ONE HUNDRED AND TWELFTH LEGISLATURE  
SECOND REGULAR SESSION

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 2377 AN ACT TO PERMIT ASSESSMENT OF A REIMBURSEMENT FEE AGAINST PRISONERS IN COUNTY JAILS TO HELP DEFRAY THE COSTS OF INCARCERATION AND TO PERMIT THE STATE AND COUNTIES TO RECOVER PRISONERS' MEDICAL COSTS PL 1985 c. 752

Sponsor: PARADIS P, Martin J  
Committee Report: New Draft of LD 1949.

SUMMARY: This bill authorizes the court, at the time of sentencing, to assess a reimbursement fee against county jail prisoners to help defray the costs of incarceration. In addition, the State and counties are authorized to bring civil actions to recover the costs of medical, dental, psychiatric, or psychological expenses incurred on behalf of any prisoner.

In determining the offender's ability to pay, the court shall not consider as assets of the offender any property or source of income owned jointly by the offender and another person or persons, or the property or income of the offender's spouse or family.

LD 2378 AN ACT CONCERNING POST-CONVICTION BAIL PL 1985 c. 743

Sponsor: CROWLEY, Murphy T, Allen, Carpenter  
Committee Report: New Draft of LD 1679.

SUMMARY: LD 2378 enacts a post-conviction bail statute. The bill:

- 1. Permits a convicted defendant, other than one convicted of murder, to apply for bail prior to sentencing or pending appeal. The defendant applies to the judge who presided at his or her trial or, if that judge is unavailable, to another judge of the same court.
- 2. Requires a judge hearing a post-conviction bail application to state, on the record or in writing, his or her reasons for granting or denying bail.
- 3. States that a convicted defendant may not be admitted to jail unless the judge has reasonable grounds to believe there is no substantial risk the defendant will fail to appear, and there is no substantial risk the defendant will pose a danger to another or the community.
- 4. Permits the judge to impose conditions of release to minimize the risk of flight or danger.

