

# 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

5. Permits the defendant and the State to appeal a post-conviction bail decision to a single justice of the Supreme Judicial Court. The single justice does not conduct a new bail hearing but simply reviews the lower court's order.

6. Permits the revocation of post-conviction bail after a hearing if the defendant has violated a condition of bail, been charged with a crime allegedly committed while on release, or has taken an appeal for the purposes of delay.

7. Sets penalties for a defendant's failure to appeal after release on post-conviction bail: failure to appear by a defendant convicted of a Class D or E crime is a Class E crime; failure to appear by a defendant convicted of a Class A, B, or C crime is a Class C crime.

8. Makes violation of a post-conviction bail condition of release a Class E crime.

**LD** AN ACT RELATING TO THE TRANSFER OF AUTHORITY PL 1985  
**2379** FROM THE DISTRICT COURTS TO THE SECRETARY OF c. 800  
STATE TO ADJUDICATE THE COMMISSION OF TRAFFIC  
INFRACTIONS

Sponsor: THERIAULT, Sewall, Erwin E, Paradis P  
Committee Report: New Draft of LD 2235.

S-540 DOW H S

SUMMARY: This bill provides for a complete transfer of authority to adjudicate traffic infractions from the District Court to the Secretary of State by January 1, 1988. It requires that legislation be submitted to the 113th Legislature detailing the implementation of the transfer of this authority.

**LD** AN ACT TO CONFIRM AND RECOGNIZE PUBLIC TRUST PL 1985  
**2380** RIGHTS IN INTERTIDAL LAND c. 782

Sponsor: NAJARIAN, Trafton, Martin J, Wentworth  
Committee Report: New Draft of LD 1922.

H-730 SCARPINO H S  
S-498 SEWALL

SUMMARY: LD 2380 states that public trust rights in intertidal land include:

1. The right to use this land for fishing, fowling, and navigation;