

MAINE STATE LEGISLATURE

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STATE OF MAINE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON
JUDICIARY
BILL SUMMARY



JUNE 1987

PREPARED BY:

Martha Freeman and Gilbert Brewer

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

HELEN T. GINDER, DIRECTOR
HAVEN WHITESIDE, DEP. DIRECTOR
GILBERT W. BREWER
DAVID C. ELLIOTT
GRO FLATEBO
MARTHA E. FREEMAN, SR. ATTY.
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
CAROLYN J. CHICK, PARALEGAL
ROBERT W. DUNN, RES. ASST.
HARTLEY PALLESCHI, JR., RES. ASST.
KATHRYN VAN NOTE, RES. ASST.

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JOINT STANDING COMMITTEE
BILL SUMMARIES
JUNE 1987

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. The summaries are arranged by LD number under each committee.

All Adopted 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 "COMMITTEE" if it is a committee amendment.

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

Please let us know if you would prefer a different format or additional information and if the summaries are helpful.

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-A	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

The bill also sought to abolish elected, part-time probate judges. Six appointed, full-time probate judges would have replaced the part-time judges, with three appointed in 1989 and three appointed in 1991. The appointed probate judges would have been under the administrative supervision of the District Court. The nonprobate caseload of the appointed probate judges would have consisted primarily of family cases. Registers of probate remained elected county officers under this bill.

Funding for LD 976 would have been generated from an increase in certain probate fees and a later increase in filing fees for domestic relations cases.

LD 1049 AN ACT TO ACCORD QUALIFIED IMMUNITY FROM TORT LIABILITY TO EMPLOYERS GIVING RECOMMENDATIONS ABOUT CURRENT OR PAST EMPLOYEES LVWD

Sponsor: JALBERT
Committee Report: LVWD

SUMMARY: LD 1049 proposed to raise the standard of proof for a plaintiff who sued his present or former employer for defamation concerning remarks made by the employer about the plaintiff's work performance. In order to prevail in his action under the bill, the plaintiff would have to prove by clear and convincing evidence that the employer made the statement with actual knowledge that the statement was not true or with reckless disregard of its truth.

LD 1059 AN ACT TO STREAMLINE COSTS IN THE CRIMINAL JUSTICE SYSTEM AND ENSURE THE CONSTITUTIONAL RIGHTS OF INDIGENT DEFENDANTS LVWD

Sponsor: WARREN, Priest, Connolly
Committee Report: LVWD

SUMMARY: This bill sought to establish a Public Defender Program to provide for representation of indigent criminal defendants. The State, through the Judicial Department, would have contracted with a group of attorneys to operate the program. The District and Superior Courts would have designated the program to assign an attorney, or a qualified attorney would be assigned by the court, for any defendant without sufficient means to employ counsel. The Maine Supreme Judicial Court would have controlled and supervised this indigent defense system.