

MAINE STATE LEGISLATURE

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STATE OF MAINE
113TH LEGISLATURE
SECOND REGULAR SESSION



BILL SUMMARY
JOINT STANDING COMMITTEE
ON
JUDICIARY

MAY 1988

MEMBERS

Sen. Joseph C. Brannigan *
Sen. N. Paul Gauvreau
Sen. Henry W. Black

Rep. Patrick E. Paradis *
Rep. Daniel E. Warren
Rep. Harry L. Vose
Rep. Constance D. Cote
Rep. Gerard P. Conley, Jr.
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Rep. Mary H. MacBride
Rep. Jeanne F. Begley
Rep. Dana C. Hanley
Rep. Francis C. Marsano

* Denotes Chair

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**ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST & SECOND SPECIAL SESSIONS
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES
MAY 1988**

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 for floor amendments. Final action is listed to the right of the title. If final House and Senate action differ, both are listed. Committee Reports and Floor Action are indicated as follows::

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

Each individual summary was prepared by the analyst assigned, as noted for each committee. But, this document was produced by the efforts of all the office staff, including Secretaries: Charlene Brann, Janet Jean, Earl Knox, Valarie Parlin; Research Assistant Hartley Palleschi. Finally, Secretary Laurette Knox, Legal Assistant Carolyn Chick, and Research Assistant Robert Dunn had special responsibilities in the preparation of the overall document.

Please give us your suggestions and comments on these summaries and tell us of any inaccuracies.

LD 1618 An Act to Clarify the Offense of Driving under the Influence of Illegal Drugs LV/WD

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
WARREN MACBRIDE LEBOWITZ STEVENSON	LV/WD	

SUMMARY

LD 1618 proposed to strengthen the laws relating to driving under the influence of drugs other than alcohol. It would have authorized the use of chemical tests to determine violations similar to the current practice of using breathalyzers or blood tests to determine blood-alcohol levels in OUI cases.

LD 1879 An Act to Clarify the Authority for Judicial Suspension of Motor Vehicle Licenses PUBLIC 575 EMERGENCY

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
GAUVREAU	OTP-AM	S-310 USHER

SUMMARY

LD 1879 clarified the authority of judges to suspend a person's drivers license for traffic violations which are not contained in Title 29.

Committee Amendment "A" (S-309) corrected a cross-reference to the recodified liquor laws.

Senate Amendment "A" (S-310) corrected the amending clause of the bill.

LD 1941 An Act to Clarify the Standard of Proof in Prelitigation Screening Panels INDEF PP

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
BRANNIGAN	OTP-AM	H-675 P PARADIS S-395 S-452 BRANNIGAN

SUMMARY

LD 1941 proposed to clarify the standard of proof used by prelitigation screening panels so that the panels would apply the same legal standard as a court would use.

Committee Amendment "A" (S-395) completely rewrote the bill, adding an emergency preamble and emergency clause, redrafting the clarification of the standard of proof, and adding the following corrections and clarifications to present law:

1. It provides for a fee of \$75 per day to be paid to panel members other than the chairman;