

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
113TH LEGISLATURE  
SECOND REGULAR SESSION



BILL SUMMARY  
JOINT STANDING COMMITTEE  
ON  
JUDICIARY

MAY 1988

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Sen. N. Paul Gauvreau  
Sen. Henry W. Black

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\* Denotes Chair

Staff: Gil Brewer, Legal Analyst  
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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::*

<b>OTP</b>	<b>Ought to Pass</b>
<b>OTP-ND</b>	<b>Ought to Pass in New Draft</b>
<b>OTP-ND-NT</b>	<b>Ought to Pass in New Draft, New Title</b>
<b>OTP-A</b>	<b>Ought to Pass as Amended</b>
<b>ONTP</b>	<b>Ought Not to Pass</b>
<b>LVWD</b>	<b>Leave to Withdraw</b>
<b>INDEF PP</b>	<b>Indefinitely Postponed</b>

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

<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 An Act to Clarify the Authority for Judicial Suspension of PUBLIC  
1879 Motor Vehicle Licenses 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 An Act to Clarify the Standard of Proof in Prelitigation INDEF PP  
1941 Screening Panels

<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;

