

# 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. 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.*

SPONSOR(S)  
CARTER  
PARADIS P  
CHONKO  
BERUBE

COMMITTEE REPORT  
OTP-AM

AMENDMENTS ADOPTED  
H-609

SUMMARY

LD 2381 proposed to restrict the granting of unescorted furloughs to prison inmates by requiring the prior approval of a court, after notice and opportunity for hearing by the victim and prosecutor's office. The LD also required that a prisoner serve at least 50% of his original sentence (without considering good time credits) before being released on furlough and prevented the issuance of a furlough to any prisoner who had previously violated any condition of furlough.

Committee Amendment "A" (H-609) deleted the entire bill and added a restriction that a prisoner must serve at least 50% of his sentence, after considering good time credits. This restriction applies only to persons convicted after the bill's effective date.

**LD 2409** An Act to Waive Filing Fees for the State in Asset Forfeiture Proceedings

**PUBLIC 648**  
**EMERGENCY**

SPONSOR(S)  
PARADIS P

COMMITTEE REPORT  
OTP

AMENDMENTS ADOPTED

SUMMARY

LD 2409 authorizes a waiver of the normal court filing fee for the State in drug-trafficking forfeiture proceedings.

**LD 2440** An Act Concerning the Penobscot Tribal Court

**PUBLIC 756**

SPONSOR(S)  
PEARSON  
CASHMAN  
PARADIS P  
BRANNIGAN

COMMITTEE REPORT  
OTP-AM

AMENDMENTS ADOPTED  
S-482

SUMMARY

LD 2440 proposed to extend the jurisdiction of Indian tribal courts in the State to include any criminal offense punishable by up to one year imprisonment or a fine of not more than \$5,000. The LD also specified the subpoena powers of tribal courts.