

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

STATE OF MAINE
114TH LEGISLATURE
FIRST REGULAR SESSION



BILL SUMMARY
JOINT STANDING COMMITTEE
ON
JUDICIARY
JULY 1989

MEMBERS

Sen. Barry J. Hobbins *
Sen. N. Paul Gauvreau
Sen. Muriel D. Holloway

Rep. Patrick E. Paradis *
Rep. Constance D. Cote
Rep. Gerard P. Conley, Jr.
Rep. Patricia M. Stevens
Rep. Cushman D. Anthony
Rep. Susan Farnsworth
Rep. Mary H. MacBride
Rep. Dana C. Hanley
Rep. Peter G. Hastings
Rep. John H. Richards

* Denotes Chair

Staff: Margaret J. Reinsch, Legislative Analyst

Office of Policy & Legal Analysis
Room 101, State House Sta. 13
Augusta, ME 04333
(207) 289-1670

MARTHA E. FREEMAN, DIRECTOR
WILLIAM T. GLIDDEN, PRINCIPAL ANALYST
ULIE S. JONES, PRINCIPAL ANALYST
DAVID C. ELLIOTT, PRINCIPAL ANALYST
GILBERT W. BREWER
GODD R. BURROWES
MICHAEL FLATEBO
REBECCA C. FRIEDMAN
JOHN B. KNOX



STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107/135
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL: (207) 289-1670

ANNIKA E. LANE
EDWARD POTTER
MARGARET J. REINSCH
LARS H. RYDELL
JOHN R. SELSER
HAVEN WHITESIDE
CAROLYN J. CHICK, RES. ASST
ROBERT W. DUNN, RES. ASST
HARTLEY PALLESCHI, JR., RES. ASST

ONE HUNDRED AND FOURTEENTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE
BILL SUMMARIES
AUGUST 1989

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 for 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 abbreviated 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 Research Assistant Barbara McGinn, and secretaries: Charlene Brann, and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

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

Committee Amendment "A" (H-269) deletes duplicative language and adds necessary references in Title 30-A.

House Amendment "A" to Committee Amendment "A" (H-290) corrects a technical error.

LD 522 An Act to Amend Disorderly Conduct Offenses

PUBLIC 266

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
GURNEY O'GARA REED	OTP-AM	H-268

SUMMARY

The bill amends the definition of disorderly conduct to eliminate the need for a law enforcement officer to order the person to stop fighting before making an arrest.

Committee Amendment "A" (H-268) removes the knowledge requirement proposed by the bill for engaging in fighting.

LD 535 An Act to Restrict the Disclosure of a Criminal Suspect's Identity

ONTP

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
BRANNIGAN	ONTP	

SUMMARY

The bill would have prohibited the release of the identity of a criminal suspect by a law enforcement officer except when necessary or after the suspect has been arrested.

LD 536 An Act to Authorize Designation of Department of Mental Health and Mental Retardation Employees to Appear in Probate Court on Behalf of the Department of Mental Health and Mental Retardation

PUBLIC 265

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
HOLLOWAY FARNSWORTH TITCOMB BURKE	OTP-AM	S-149

SUMMARY

The bill would allow designated employees of the Department of Mental Health and Mental Retardation to represent the Department in Probate Court in guardianship cases.

Committee Amendment "A" (S-149) replaces the text of the bill. It rewrites the unauthorized practice of law section to allow DMHMR employees to represent the Department in Probate Court.