

MAINE STATE LEGISLATURE

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STATE OF MAINE
115TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
JUDICIARY

MAY 1992

Staff:

*Margaret J. Reinsch, Legislative Analyst
Deborah C. Friedman, Legislative Analyst
Julie S. Jones, Principal Analyst*

*Office of Policy and Legal Analysis
Room 101, State House Station 13
Augusta, ME 04333
(207)287-1670*

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ROY W. LENARDSON, RES. ASST.
BRET A. PRESTON, RES. ASST.

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

**ONE HUNDRED AND FIFTEENTH LEGISLATURE
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

MAY 1992

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 volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action on each bill is listed to the far right of the title. Various types of final action are abbreviated as follows:

PUBLIC XXX	Chapter # of enacted Public Law
P&S XXX	Chapter # of enacted Private & Special Law
RESOLVE XXX	Chapter # of enacted Resolve
CON RES XXX	Chapter # of Constitutional Resolution passed by both Houses
EMERGENCY	Enacted law takes effect sooner than 90 days
CARRIED OVER	Bill carried over to Special Session
ONTP	Ought Not to Pass report accepted
LVWD	Leave to Withdraw report accepted
INDEF PP	Bill Indefinitely Postponed
FAILED EMERGENCY ENACTMENT	Emergency bill failed to get 2/3 vote
DIED BETWEEN BODIES	House and Senate disagree; bill died
CONF CMTE UNABLE TO AGREE	Committee of Conference formed but unable to agree
VETO SUSTAINED	Legislature filed to override Governor's Veto
UNSIGNED	Not signed by Governor within 10 days
DIED ON ADJOURNMENT	Action incomplete when session ended; bill died

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin, especially Laurette Knox who coordinated preparation of the overall document.

If you have any suggestions or comments on these summaries, please let us know.

An Act to Authorize the Supreme Judicial Court to Provide a Record of Court Proceedings**SPONSOR(S)**PARADIS P
CLARK N
GOULD R R**COMMITTEE REPORT**

LV/WD

AMENDMENTS ADOPTED**SUMMARY**

The bill required court reporters to be present in 4 circumstances:

1. All criminal proceedings;
2. All civil proceedings before a jury;
3. All civil proceedings without a jury but in which a party requests a Court Reporter and notifies the court that a reporter is required at least 48 hours before the proceeding; and
4. All civil proceedings without a jury in which the court determines that there is good cause for the reporter to be present.

The bill did not limit the scope of collective bargaining between the Court Reporters and the Judicial Department. The bill retained current law concerning appointment and compensation.

An Act Concerning the Freedom of Access Laws as They Relate to Disclosure of Public Employee Personnel Records**SPONSOR(S)**GAUVREAU
STEVENS P
RICHARDS
PARADIS P**COMMITTEE REPORT**

OTP-AM

AMENDMENTS ADOPTED

S-635

SUMMARY

The bill changes Maine law concerning public employee personnel records to allow the general public access to records when a public employee has been accused of conduct causing death, serious bodily injury or substantial financial or property damage. The bill also changes the standard for denying access to reports and records containing intelligence and investigative information. In addition, the bill deletes outdated references in the Maine Revised Statutes, Title 25, section 1631, subsection 15.

Committee Amendment "A" (S-635): The amendment provides that in cases related to the use of deadly force or physical force resulting in death or serious bodily injury by a law enforcement officer, the name of the law enforcement officer is not confidential. The amendment also provides that the findings of an investigation are no longer confidential when a decision not to bring criminal charges has been made but if criminal charges are brought, the findings of the investigation remain confidential until conclusion of the case.

The amendment also changes the standard for maintaining confidentiality of certain intelligence and investigative records in situations when there is a reasonable possibility that public release or inspection would result in conditions specified in this bill and included within the confidentiality provisions records of the Department of Corrections.