# MAINE STATE LEGISLATURE

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# STATE OF MAINE
# 116TH LEGISLATURE

## FIRST REGULAR SESSION

# BILL SUMMARIES
# JOINT STANDING COMMITTEE
# ON
# JUDICIARY

## JULY 1993


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# *ONE HUNDRED AND SIXTEENTH LEGISLATURE*
# *FIRST REGULAR SESSION*

## *JOINT STANDING COMMITTEE*
## *BILL SUMMARIES*

## *JULY 1993*

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.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. 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 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 Second Session* |
| *ONTP* | *Ought Not to Pass report accepted* |
| *ENACTMENT FAILED* | *Bill failed to get majority vote* |
| *INDEF PP* | *Bill Indefinitely Postponed* |
| *FAILED EMERGENCY ENACTMENT* | *Emergency bill failed to get 2/3 vote* |
| *FAILED MANDATE ENACTMENT* | *Bill imposing local mandate failed to get 2/3 vote* |
| *DIED BETWEEN BODIES* | *House & Senate disagree; bill died* |
| *CONF CMTE UNABLE TO AGREE* | *Committee of Conference formed but unable to agree* |
| *VETO SUSTAINED* | *Legislature failed 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.

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

4693NRG

provisions concerning requests for and refusals to submit to blood testing to determine paternity. The amendment also adds a fiscal note to the bill.

## LD 1344 An Act to Correct Errors and Inconsistencies in the Laws of Maine

PUBLIC 349
EMERGENCY

| SPONSOR(S) | COMMITTEE REPORT | AMENDMENTS ADOPTED |
|---|---|---|
| CONLEY | OTP-AM | S-258 |

**SUMMARY**

The bill corrects technical errors and inconsistencies in the laws of Maine.

Committee Amendment "A" (S-258) corrects errors in the bill and adds new correcting sections.

## LD 1349 Resolve, Directing Release of Investigative Records Related to Ballot Tampering

CONF CMTE UNABLE TO AGREE

| SPONSOR(S) | COMMITTEE REPORT | AMENDMENTS ADOPTED |
|---|---|---|
| BOWERS | OTP-AM | H-657 |

**SUMMARY**

The resolve would have directed the Attorney General to make available to the public all investigative records except for subpoenaed telephone records related to ballot tampering that occurred during the electoral recounts in House Districts 35 and 38 following the 1992 legislative elections.

Committee Amendment "A" (h-657) made a legislative finding that there is an exceptional and unique public interest in disclosure of the records related to ballot tampering that outweighs interests in confidentiality. It also added language to exempt from disclosure information that would result in an unwarranted invasion of personal privacy.

Senate Amendment "A" (S-336) removed the emergency preamble and emergency clause. Adopted in the Senate only.

## LD 1353 An Act Concerning the Calculation of Periods of Imprisonment

ONTP

| SPONSOR(S) | COMMITTEE REPORT | AMENDMENTS ADOPTED |
|---|---|---|
| HOLT | ONTP | |
| PARADIS J | | |

**SUMMARY**

The bill would have increased possible monthly deductions on sentences of persons incarcerated in the State from 10 to 15 days for observance of rules, from 3 to 5 days for participation in designated work and education programs and from 2 to 3 days for participation in minimum security community programs. The bill also would have clarified that in order to resolve the constitutional problems that defeated prospective application of these provisions to all inmates in 1983 legislation and to accomplish the bill's purposes of reduced overcrowding and increased equity and efficiency in prison operations, the Governor would be commuting sentences of current inmates to allow the provisions of this bill to apply to the portions of their sentences remaining to be served.