

# 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 electronic originals  
(may include minor formatting differences from printed original)

**STATE OF MAINE  
117TH LEGISLATURE**

**SECOND REGULAR SESSION**

**BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
JUDICIARY**

**JUNE 1996**

**MEMBERS:**

*Sen. S. Peter Mills III, Chair*

*Sen. Joan M. Pendexter*

*Sen. Sean F. Faircloth*

*Rep. Sharon Anglin Treat, Chair*

*Rep. William Lemke*

*Rep. Fred L. Richardson*

*Rep. Kyle W. Jones*

*Rep. Lloyd P. LaFountain III*

*Rep. Elizabeth Watson*

*Rep. Debra Plowman*

*Rep. Robert R. Hartnett*

*Rep. David R. Madore*

*Rep. Richard A. Nass*

*Rep. Frederick J. Moore III*

**Staff:**

*Margaret J. Reinsch, Principal Analyst*

*Lisa Copenhaver, Legislative Analyst*

*Office of Policy and Legal Analysis*

*Room 101/107/135, 13 State House Station*

*Augusta, ME 04333*

*(207)287-1670*



**Maine State Legislature  
OFFICE OF POLICY AND LEGAL ANALYSIS**

13 State House Station, Augusta, Maine 04333-0013  
Telephone: (207) 287-1670  
Fax: (207) 287-1275

**ONE HUNDRED SEVENTEENTH LEGISLATURE  
SECOND REGULAR SESSION**

***Summary Of Legislation Before The Joint Standing Committees  
June 1996***

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized alphabetically by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills.

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

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

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is July 4, 1996.

***Enacted law summary***

Public Law 1995, chapter 608 expands the list of entities to which the freedom of access laws apply to include advisory organizations, including authorities, boards, commissions, committees, councils, task forces and similar organizations that are advisory in nature and that are created by law or resolve or by an Executive Order of the Governor. Any boards or commissions already subject to the freedom of access laws are not also covered by the new provisions. The law, resolve or Executive Order may exempt the organization from the freedom of access laws by including a specific statement that the organization is exempt. The meetings of all these organizations are subject to the public meeting and public notice requirements.

Chapter 608 creates a new exemption from the definition of "public records" for the working papers and internal documents of an advisory organization until the organization goes out of existence, at which time they become public records. Working papers become public records before the organization terminates if they are distributed by a member or in a public meeting of the advisory organization.

**LD 1868**

**An Act to Prohibit the Photographing or Videotaping of Jury Deliberations** DIED BETWEEN HOUSES

Sponsor(s)  
LIBBY JD

Committee Report  
OTP-AM      MAJ  
ONTP          MIN

Amendments Adopted

LD 1868 proposed to prohibit the recording or viewing of jury deliberations by electronic means. A violation of the prohibition would have been a Class E crime.

**Committee Amendment "A" (H-887)** is the Majority Report. It proposed two changes to the bill. First, it would have eliminated the prohibition on viewing jury meetings and deliberations that are recorded or transmitted by electronic means. Second, it would have deleted the criminal penalty. (Not adopted)

The House of Representatives accepted the OTP-AM Majority Report, while the Senate accepted the Minority Report of ONTP. The bill died between houses when an agreement was not reached.