

MAINE STATE LEGISLATURE

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STATE OF MAINE
118TH LEGISLATURE

SECOND REGULAR SESSION
AND
SECOND SPECIAL SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
CRIMINAL JUSTICE

MAY 1998

MEMBERS:

Sen. Robert E. Murray, Jr., Chair
Sen. William B. O'Gara
Sen. Betty Lou Mitchell

Rep. Edward J. Povich, Chair
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ONE HUNDRED EIGHTEENTH LEGISLATURE
SECOND REGULAR AND SECOND SPECIAL SESSIONS

Summary Of Legislation Before The Joint Standing Committees
May 1998

We are pleased to provide this summary of bills that were considered by the Joint Standing Committees of the Maine Legislature. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. 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 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. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

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:

- CON RES XXX*..... Chapter # of Constitutional Resolution passed by both Houses
- CONF CMTE UNABLE TO AGREE*.....Committee of Conference unable to agree; bill died
- DIED BETWEEN BODIES*.....House & Senate disagree; bill died
- DIED IN CONCURRENCE*.....One body accepts ONTP report; the other indefinitely postpones the bill
- DIED ON ADJOURNMENT*.....Action incomplete when session ended; bill died
- EMERGENCY*.....Enacted law takes effect sooner than 90 days
- FAILED EMERGENCY ENACTMENT/FINAL PASSAGE*.....Emergency bill failed to get 2/3 vote
- FAILED ENACTMENT/FINAL PASSAGE*.....Bill failed to get majority vote
- FAILED MANDATE ENACTMENT*.....Bill imposing local mandate failed to get 2/3 vote
- INDEF PP*.....Bill Indefinitely Postponed
- ONTP*..... Ought Not To Pass report accepted
- OTP ND*..... Committee report Ought To Pass In New Draft
- OTP ND/NT*..... Committee report Ought To Pass In New Draft/New Title
- P&S XXX*..... Chapter # of enacted Private & Special Law
- PUBLIC XXX*..... Chapter # of enacted Public Law
- RESOLVE XXX*..... Chapter # of finally passed Resolve
- UNSIGNED*.....Bill held by Governor
- VETO SUSTAINED*.....Legislature failed to override Governor's Veto

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is June 30, 1998 and July 9, 1998 for the Second Special Session. Second Special Session laws include Public Laws beginning with Chapter 718, Private and Special Laws beginning with Chapter 82 and Resolves beginning with Chapter 117.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COWGER KILKELLY	OTP-AM	H-831

LD 1870 proposed to provide that a person who had an OUI conviction prior to June 29, 1995 is subject to the 6-year rather than the 10-year provision that is used to increase penalties for subsequent OUI offenses.

Committee Amendment "A" (H-831) replaced the bill. Current law allows a licensee with one operating-under-the-influence conviction to petition the Secretary of State to remove the coded notation from that licensee's license 6 years after the date of the conviction if the licensee has not been convicted or adjudicated of any other traffic offense within that 6-year period. The amendment proposed to specify that the Secretary of State may not remove the coded notation if the licensee has been convicted or adjudicated of the offense of speeding more than 15 miles per hour over the maximum speed limit or any offense described under the habitual offender law, the Maine Revised Statutes, Title 29-A, section 2551, subsection 1 or had a license suspended or revoked within that 6-year period.

Enacted law summary

Public Law 1997, chapter 617 specifies that the Secretary of State may not remove the coded notation from the license of a person who has been convicted of one operating under the influence offense if the licensee has been convicted or adjudicated of the offense of speeding more than 15 miles per hour over the maximum speed limit or any offense described under the habitual offender law, the Maine Revised Statutes, Title 29-A, section 2551, subsection 1 or had a license suspended or revoked within that 6-year period after the conviction.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KIEFFER	OTP MAJ ONTP MIN	

LD 1924 proposed to remove the requirement that the Maine Criminal Justice Academy be established in the Augusta area.

Enacted law summary

Public Law 1997, chapter 577 removes the geographic requirement that the Maine Criminal Justice Academy be established in the Augusta area, therefore allowing a new academy to be established anywhere in Maine.