

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
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

Rep. George H. Bunker, Jr.

Rep. Roger D. Frechette

Rep. Sharon Libby Jones

Rep. Christopher T. Muse

Rep. Michael J. McAlevey

Rep. Judith B. Peavey

Rep. Edgar Wheeler

Rep. Julie Ann O'Brien

Rep. James H. Tobin, Jr.

Staff:

Marion Hylan Barr, 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 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.

The amendment also proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 1997, chapter 591 prohibits the use of deductions for good behavior from any detention dispositions of 30 days or fewer, facilitates the receipt of more federal funds for juveniles who voluntarily live outside their homes and makes technical changes consistent with the Maine Juvenile Code.

LD 2033

An Act to Create the Sex Offender Registration and Notification Act of 1998

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MURRAY POVICH	ONTP	

LD 2033 proposed to provide for the registration of sex offenders in the State in conformance with the federal Jacob Wetterling Act. The bill proposed to do the following:

1. Expand the scope of the definition of "sex offender" for purposes of registration;
2. Add a new category: "sexually violent predator";
3. Increase the type of identifying information for sex offenders that must be kept by the State Bureau of Identification and direct the bureau to forward registration information to the Federal Bureau of Investigation for inclusion in the national sex offender database;
4. Set guidelines for sex offender responsibilities regarding registration;
5. Establish the Board of Examiners of Sex Offenders, which must include a member of the State Forensic Service; and
6. Create a penalty for failure to comply with sex offender registration requirements.

LD 2072

An Act to Amend the Laws Regarding Sex Offenders

PUBLIC 768

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BELANGER D PARADIS	OTP-AM MAJ OTP-AM MIN	H-1056 S-730 MICHAUD

LD 2072 proposed to strengthen the laws governing sex offender registration and notification by requiring law enforcement agencies to notify residents who reside within 1,000 feet of where the sex offender will reside.

Committee Amendment "A" (H-1056) replaced the bill and was the majority report of the Joint Standing Committee on Criminal Justice. The amendment proposed to create a "safe children zone" that is defined as on or within 1,000 feet of the real property comprising a public or private elementary or secondary school or on or within