

MAINE STATE LEGISLATURE

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**STATE OF MAINE
119TH LEGISLATURE**

FIRST REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
CRIMINAL JUSTICE**

JULY 1999

MEMBERS:

*Sen. Robert E. Murray, Jr., Chair
Sen. William B. O'Gara
Sen. Paul T. Davis*

*Rep. Edward J. Povich, Chair
Rep. Roger D. Frechette
Rep. Christopher T. Muse
Rep. Nancy L. Chizmar
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Rep. Julie Ann O'Brien
Rep. James H. Tobin, Jr.
Rep. Roger L. Sherman*

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ONE HUNDRED NINETEENTH LEGISLATURE
FIRST REGULAR SESSION

Summary Of Legislation Before The Joint Standing and Select Committees
August 1999

We are pleased to provide this summary of all bills that were considered by the Joint Standing and Select Committees of the Maine Legislature this past session. 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 and select committees.

The document is organized for convenient reference to information on bills considered by the 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:

CARRIED OVER..... *Bill carried over to Second Regular Session*
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*
ENACTMENT FAILED..... *Bill failed to get vote required for enactment or final passage*
NOT PROPERLY BEFORE THE BODY..... *Ruled out of order by the presiding officers; bill died*
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 First Regular Session (unless otherwise specified in a particular law) is September 18, 1999.

LD 195

An Act to Prohibit Sex Offenders from Being near Schools or Day Care Facilities

ONTP

<u>Sponsor(s)</u> MACKINNON	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 195 proposed to prohibit a sex offender from residing or loitering within 1,000 feet of a school or day care facility.

LD 201

An Act to Amend the Maine Criminal Justice Academy Requirements for Candidates for Sheriff

PUBLIC 338

<u>Sponsor(s)</u> GOODWIN	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-560
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LD 201 proposed to remove the requirement that a sheriff or candidate for sheriff be certified by the Maine Criminal Justice Academy.

Committee Amendment "A" (H-184) proposed to replace and retitle the bill and was the majority report of the Joint Standing Committee on Criminal Justice. The amendment proposed to repeal the requirement that a candidate for sheriff qualify for an executive certificate under the Maine Criminal Justice Academy standards and instead require a candidate to meet only the Maine Criminal Justice Academy basic law enforcement training standards or the basic corrections training standards. This amendment was not adopted.

Committee Amendment "B" (H-185) proposed to replace and retitle the bill and was the minority report of the Joint Standing Committee on Criminal Justice. This amendment proposed to repeal the existing requirement that a candidate for sheriff qualify for an executive certificate under the Maine Criminal Justice Academy standards and instead require a candidate to hold current certification in basic law enforcement training under the Maine Criminal Justice Academy standards and to have at least 5 years of experience as a law enforcement officer. The amendment also proposed to repeal the grandfather provision after current terms of office are served and require all who seek to be candidates for reelection to meet the new requirements. This amendment was not adopted.

Committee Amendment "C" (H-560) proposed to replace and retitle the bill. The amendment proposed to repeal the requirement that a candidate for sheriff qualify for an executive certificate under the Maine Criminal Justice Academy standards and instead require a candidate to meet only the Maine Criminal Justice Academy basic law enforcement training standards or meet the basic corrections training standards and have 5 years of supervisory employment experience. Committee Amendment "C" was a compromise that replaced Committee Amendments "A" and "B".

Enacted law summary

Public Law 1999, chapter 338 removes the requirement that a sheriff or candidate for sheriff be certified by the Maine Criminal Justice Academy and repeals the requirement that a candidate for sheriff qualify for an executive certificate under the Maine Criminal Justice Academy standards and instead requires a candidate to meet only the Maine Criminal Justice Academy basic law enforcement training standards or meet the basic corrections training standards and have 5 years of supervisory employment experience.

LD 211

An Act to Criminalize the Negligent or Purposeful Transmission of HIV

ONTP