

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:

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Sen. William B. O'Gara
Sen. Paul T. Davis*

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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 353 **An Act Regarding the Administration of Polygraph Tests to Prospective Law Enforcement Personnel** **CARRIED OVER**

<u>Sponsor(s)</u> MUSE		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 353 proposes to eliminate employees of or applicants for employment with law enforcement agencies from the list of exceptions for which employers may request polygraph tests. The bill proposes that only law enforcement officers or applicants for employment as law enforcement officers may be asked to undergo polygraph tests.

This bill has been carried over to the Second Regular Session.

LD 354 **An Act to Establish Certain Crimes of Domestic Violence** **CARRIED OVER**

<u>Sponsor(s)</u> MUSE DOUGLASS		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 354 proposes to create 2 new offenses in the criminal code: domestic violence assault for assault against a family member and domestic violence terrorizing for terrorizing a family member. Both of these new offenses are Class D crimes, except in cases of assault by a person 18 years of age or older against a person under 6 years of age, which is a Class C crime. Both of these new offenses would require a judge, not a bail commissioner, to set bail.

This bill has been carried over to the Second Regular Session.

LD 384 **An Act to Establish Victims' Rights for the Victims of Juvenile Crimes** **PUBLIC 280**

<u>Sponsor(s)</u> PEAVEY		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-457
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LD 384 proposed to give a victim of a crime committed by a juvenile the same rights as a victim of a crime committed by an adult, in addition to any rights provided to the victim of a juvenile crime by the Maine Juvenile Code.

This bill was submitted on behalf of the Department of Corrections.

Committee Amendment "A" (H-457) proposed to replace the bill. The amendment proposed to give a victim of a crime committed by a juvenile the right to request to receive notification of the juvenile offender's release in addition to any rights provided to the victim of a juvenile crime by the Maine Juvenile Code. The amendment also proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 1999, chapter 280 gives a victim of a crime committed by a juvenile the right to request to receive notification of the juvenile offender's release in addition to any rights provided to the victim by the Maine Juvenile Code.