

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
Rep. Michael W. Quint
Rep. Michael J. McAlevey
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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.

D crimes to Class C crimes if the State pleads and proves that at the time of a violation the offender has 2 or more convictions for these crimes or for essentially similar crimes in other jurisdictions. The amendment also proposed to add a fiscal note.

Enacted law summary

Public Law 1999, chapter 481 clarifies that the crimes of cruelty to animals and cruelty to birds require the offender to have an intentional, knowing or reckless state of mind. PL 1999, chapter 481 allows the State to aggravate the crimes of cruelty to animals and cruelty to birds from Class D crimes to Class C crimes if the State pleads and proves that at the time of a violation the offender has 2 or more convictions for these crimes or for essentially similar crimes in other jurisdictions.

LD 1282 An Act to Make It a Class E Crime to Write a Check on a Closed Account ONTP

<u>Sponsor(s)</u> TUTTLE		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1282 proposed to make writing a check on a closed account a Class E crime. The bill proposed to base the penalties on the number of prior offenses, instead of on value.

LD 1293 An Act Concerning the Responsibility of County Sheriffs to Transport Juvenile Detainees ONTP

<u>Sponsor(s)</u> WHEELER E DAGGETT		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1293 proposed to clarify the sheriffs' duties to transport juvenile detainees to and from the Maine Youth Center and to or from a court house.

LD 1320 An Act to Create a Penalty for the Intentional Transmission of a Sexually Transmitted Disease ONTP

<u>Sponsor(s)</u> DAGGETT BUMPS		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1320 proposed to make the transmission of a sexually transmitted disease a crime. As proposed, a person who knows or has reason to believe that the person is infected with a sexually transmitted disease commits a Class C crime if that person transmits that sexually transmitted disease to another person intentionally, knowingly, recklessly or with criminal negligence.

LD 1330 An Act Concerning Corrections Employees PUBLIC 459