

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
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
Rep. Judith B. Peavey
Rep. Julie Ann O'Brien
Rep. James H. Tobin, Jr.
Rep. Roger L. Sherman*

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 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 1362

An Act to Allow the State to Initiate Default Proceedings in Order to Obtain Forfeited Assets When the Defendant Fails to Appear in a Court Proceeding

PUBLIC 395

<u>Sponsor(s)</u> SCHNEIDER	<u>Committee Report</u> OTP	<u>Amendments Adopted</u>
--------------------------------	--------------------------------	---------------------------

LD 1362 proposed to allow the State to initiate default proceedings in order to obtain forfeited assets when the defendant fails to appear in a court proceeding. This bill was the recommendation of the Attorney General.

Enacted law summary

Public Law 1999, chapter 395 allows the State to initiate default proceedings in order to obtain forfeited assets when the defendant fails to appear in a court proceeding.

LD 1369

An Act to Transfer Responsibility for Youth Corrections from the Department of Corrections to the Department of Human Services

CARRIED OVER

<u>Sponsor(s)</u> TOWNSEND PENDLETON	<u>Committee Report</u>	<u>Amendments Adopted</u>
--	-------------------------	---------------------------

LD 1369 proposes to transfer responsibility for the Maine Youth Center and the Northern Maine Regional Juvenile Detention Facility from the Department of Corrections to the Department of Human Services. The bill proposes to retain the current structure of the facilities and their relationships with the other departments and with the federal Department of Justice.

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

LD 1382

An Act to Require That Both the Northern Maine Regional Juvenile Detention Facility and the Maine Youth Center Receive Detainees

PUBLIC 463

<u>Sponsor(s)</u> MCALEVEY	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-182
-------------------------------	-----------------------------------	------------------------------------

LD 1382 proposed to allow a court to order a juvenile who is sentenced to a period of detention that may not exceed 30 days to serve that sentence in any Department of Corrections juvenile facility. Current law only allows such a sentence to be served at the Northern Maine Regional Juvenile Detention Facility.

Committee Amendment "A" (H-182) proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 1999, chapter 463 allows a court to order a juvenile who is sentenced to a period of detention that may not exceed 30 days to serve that sentence in any Department of Corrections juvenile facility.