

# 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](http://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.

*Enacted law summary*

Public Law 1999, chapter 444 clarifies the definition of "disseminate" and the description of the crime of "dissemination of sexually explicit materials" to cover the dissemination of sexually explicit materials over the Internet. Public Law 1999, chapter 444 also allows for the criminal forfeiture of equipment used to facilitate a violation of the sexual exploitation of minors laws.

**LD 1583**                      **An Act to Amend the Definition of Sex Offender and to Require Sheriffs to Notify the State Bureau of Identification of a Sex Offender's Release from Jail for Purposes of Registration and Notification**                      **CARRIED OVER**

<u>Sponsor(s)</u> O'BRIEN L		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 1583 proposes to expand the definition of "sex offender" for purposes of the Sex Offender Registration and Notification Act to include all sex offenses in the Maine Revised Statutes, Title 17-A, chapter 11 that are Class A, B or C crimes and the crime of sexual exploitation of a minor. For purposes of registration and notification, the bill also proposes to require county sheriffs to notify the Department of Public Safety, State Bureau of Identification when a sex offender is released from a county jail.

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

**LD 1588**                      **An Act to Increase the Penalties for Persons in Possession of Methamphetamine in Conformity with the Penalties for Similarly Dangerous Drugs**                      **PUBLIC 422**

<u>Sponsor(s)</u> SCHNEIDER		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-535
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LD 1588 proposed to bring the general treatment of methamphetamine into conformity with the treatment of cocaine for persons charged with possession, furnishing and trafficking. This bill proposed to treat methamphetamine in virtually the same manner as cocaine hydrochloride is treated under existing law for purposes of aggravated trafficking, trafficking, furnishing and possession. The bill also proposed to provide for possession of any amount of methamphetamine to be a Class C offense, similar to the treatment of heroin under existing law. The bill was the recommendation of the Attorney General.

**Committee Amendment "A" (H-535)** proposed to add a fiscal note to the bill.

*Enacted law summary*

Public Law 1999, chapter 422 brings the general treatment of methamphetamine into conformity with the treatment of cocaine for persons charged with possession, furnishing and trafficking. This bill treats methamphetamine in virtually the same manner as cocaine hydrochloride, is treated under existing law for purposes of aggravated trafficking, trafficking, furnishing and possession. The bill also provides for possession of any amount of methamphetamine to be a Class C offense, similar to the treatment of heroin under existing law.

Note: LD 2255, An Act to Make Corrections to Laws Recently Enacted by the 119th Legislature, Public Law 1999, chapter 531 corrects conflicts that were created when P. L. 1999, c. 422 and other drug laws were enacted simultaneously.