

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
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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 1589 **An Act to Require an Assessment Evaluation of Juveniles Entering the Juvenile Justice System** **DIED BETWEEN BODIES**

<u>Sponsor(s)</u> O'BRIEN L	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-689
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LD 1589 proposed to require that the Department of Corrections provide a juvenile with an assessment evaluation as soon as a juvenile caseworker receives notice of the juvenile's arrest. As proposed, the purpose of an assessment evaluation is to assess the risks the juvenile may pose and to determine the needs the juvenile may have. It was proposed that an assessment evaluation include the following: educational, vocational, psychological, psychiatric and substance abuse examinations.

Committee Amendment "A" (H-689) proposed to specify that the assessment evaluation must include sufficient comprehensive evaluation to allow appropriate intervention strategies to be developed for the juvenile. The amendment also proposed to specify that an assessment evaluation must be conducted for every juvenile who is placed on informal adjustment and every juvenile who has been adjudicated of committing a juvenile crime. The amendment also proposed to add a fiscal note to the bill.

LD 1610 **An Act to Require Prior Agreement by Both the Sender and the Receiver for a Recording to Take Place** **ONTP**

<u>Sponsor(s)</u> LONGLEY	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1610 proposed to amend law regarding interception of wire and oral communications by requiring both the sender and the receiver to agree to the recording of their communication. As proposed, this requirement does not apply if the receiver is a law enforcement officer performing official duties or an employee of the Department of Human Services investigating an abuse and neglect case.

LD 1632 **An Act to Increase Penalties for Certain Drug-related Crimes Committed In or Near Low-income Housing** **ONTP**

<u>Sponsor(s)</u> HARRIMAN	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1632 proposed to amend the Maine Criminal Code to provide that conduct that ordinarily would subject the actor to penalties for unlawful trafficking in scheduled drugs subjects that actor to the higher penalties for aggravated trafficking or furnishing scheduled drugs if conducted on or within 1,000 feet of the real property of low-income housing.

LD 1658 **An Act to Release Juvenile Crime Records to School Personnel** **PUBLIC 345**