

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**

SECOND REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
CRIMINAL JUSTICE**

JULY 2000

Staff:
Marion Hylan Barr, Legislative Analyst

*Office of Policy and Legal Analysis
13 State House Station
Augusta, ME 04333
(207)287-1670*

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*



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
SECOND REGULAR SESSION

Summary Of Legislation Before The Joint Standing Committees
July 2000

We are pleased to provide this summary of 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:

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
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE..... Emergency bill failed to get 2/3 vote
FAILED ENACTMENT/FINAL PASSAGE..... Bill failed to get majority vote
FAILED MANDATE ENACTMENT..... Bill imposing local mandate failed to get 2/3 vote
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 Second Regular Session (unless otherwise specified in a particular law) is August 11, 2000.

David E. Boulter, Director
Offices Located in the State House, Rooms 101 & 107

LD 2494

Resolve, to Create a Commission to Study the Regulation of Firearms in Maine

DIED IN CONCURRENCE

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MUSE	ONTP MAJ	
RAND	OTP-AM MIN	

LD 2494 proposed to hold public hearings to receive testimony from the public regarding the effectiveness of Maine’s laws in reducing the regulation of gun-related violence. The resolve proposed to direct the commission to file a report, including recommendations from the public, for proposed legislation by December 31, 2000.

Committee Amendment "A" (H-923) proposed to replace the bill and was the minority report of the Joint Standing Committee on Criminal Justice. The amendment proposed to create a 15-member study commission to review existing federal and state laws regarding the manufacture, sale, possession and use of handguns; to identify barriers to enforcement of those laws in Maine; to propose changes to those laws if necessary; to use the principles of responsible gun ownership to identify methods to improve safety and protect citizens from unintended, as well as intended, injury; and to identify effective handgun-related educational programs that prevent misuse and abuse of handguns for all age groups and identify a sustainable funding source to ensure that these programs are available to all. The amendment proposed to require that the commission report its findings and any recommended legislation to the First Regular Session of the 120th Legislature by November 1, 2000. The amendment also proposed to add an appropriation and a fiscal note.

LD 2531

An Act to Institute a System of Parole for Certain Maine Criminal Code Prisoners

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SKOGLUND	ONTP	
DOUGLASS		

LD 2531 proposed to permit the State Parole Board to grant parole to a person who was sentenced to a term of imprisonment of at least 2 years on or after the effective date of this bill if that person served at least 1/2 of the sentence and there was a reasonable probability that that person would live and remain at liberty without violating the law and that release was not incompatible with the welfare of society. The amendment proposed that the person seeking parole must demonstrate that that person has available a safe and secure lodging, a job providing regular and constant income and the support of several law-abiding citizens of the community. The amendment proposed that a crime victim may appear before the board or submit a statement concerning whether a person should be released on parole or about the nature of any terms or conditions to be imposed upon such release. The amendment proposed that the board may release on medical parole a person serving a sentence of imprisonment, except a person convicted of a formerly capital offense, if that person has been diagnosed as suffering from a terminal condition, disease or syndrome and is so debilitated or incapacitated by such condition, disease or syndrome as to be physically incapable of presenting a danger to society.