

MAINE STATE LEGISLATURE

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*State Of Maine
122nd Legislature*

*First Regular Session and
First Special Session*

Bill Summaries

*Joint Standing Committee
on
Criminal Justice and Public Safety*

August 2005

Members:

Sen. Bill Diamond, Chair

Sen. John M. Nutting

Sen. Dean F. Clukey

Rep. Patricia A. Blanchette, Chair

Rep. Stan Gerzofsky

Rep. Carol A. Grose

Rep. Rosaire "Ross" Paradis, Jr.

Rep. Stephen P. Hanley

Rep. Richard M. Sykes

Rep. John W. Churchill

Rep. Christian D. Greeley

Rep. Kimberly J. Davis

Rep. Gary E. Plummer

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Maine State Legislature

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122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 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. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included 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
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 First Regular Session (unless otherwise specified in a particular law) is June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

Joint Standing Committee on Criminal Justice and Public Safety

LD 646 **An Act To Mandate Payment of Licensed Sign Language Interpreters for Driver Education Students** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DIAMOND SYKES	ONTP	

LD 646 proposed to require the forfeiture of a motor vehicle when the defendant is the sole owner-operator of the vehicle and has 3 of any combination of OUIs or refusals to submit to chemical testing within a 5-year period.

LD 670 **An Act To Protect Children Using Maine's Athletic Fields and Parks from Drug Dealers** **PUBLIC 415**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HOTHAM DAVIS P	OTP-AM	H-258 S-395 ROTUNDO

LD 670 proposed to create safe zones, including athletic fields, parks, playgrounds, recreational facilities or any other area frequented by minors that is designated as a safe zone by a municipality. This bill proposed to make it an aggravated offense to traffick, furnish or cultivate drugs within 1,000 feet of a safe zone. If a municipality designates an area a safe zone, the municipality would be required to mark the safe zone with an informational sign provided by the Commissioner of Public Safety.

Committee Amendment "A" (H-258) proposed to amend the bill by narrowing the definition of "safe zone" to include only athletic fields, parks, playgrounds and recreational facilities. The amendment also proposed to clarify that municipalities that choose to designate safe zones must conspicuously mark them with signs designed and made available by the Department of Public Safety and that the municipalities must pay for the signs.

Senate Amendment "A" to Committee Amendment "A" (S-395) proposed to replace the committee amendment and make it clear that a municipality may, but is not required to, post certain areas that minors frequent as safe zones. Like Committee Amendment "A," this amendment proposed that a "safe zone" include only athletic fields, parks, playgrounds and recreational facilities. The amendment proposed that a municipality may do this by posting an informational sign in a conspicuous place. The amendment also proposed that the Commissioner of Public Safety shall establish uniform wording to be used on the signs and provide the wording to the municipalities. The amendment proposed that the commissioner is not responsible for providing the signs.

Enacted law summary

Public Law 2005, chapter 415 authorizes, but does not require, a municipality to post certain areas that minors frequent as "safe zones." Safe zones are athletic fields, parks, playgrounds and recreational facilities. It is an aggravated offense to traffick, furnish or cultivate drugs within 1,000 feet of a safe zone. A municipality may designate a safe zone by posting an informational sign in a conspicuous place. The Commissioner of Public Safety shall establish uniform wording to be used on the signs and provide the wording to municipalities. The commissioner is not responsible for providing the signs.