

MAINE STATE LEGISLATURE

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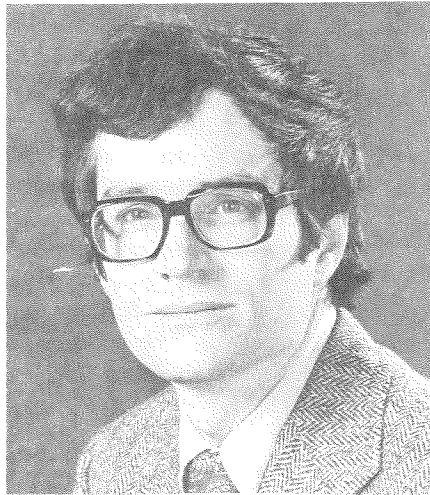
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ALERT

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JULY-AUGUST 1981

MAINE DEPARTMENT OF
THE ATTORNEY GENERAL

MAINE CRIMINAL
JUSTICE ACADEMY



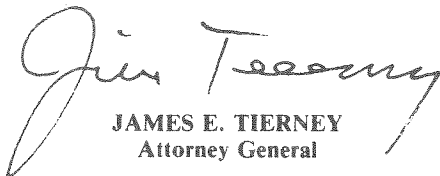
**MESSAGE FROM THE
ATTORNEY GENERAL
JAMES E. TIERNEY**

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IMPORTANT RECENT LEGISLATION

This is the final issue of ALERT for the 1980-81 subscription year. I recently sent a letter to all present ALERT subscribers telling them that it is time to submit subscription applications and fees for the 1981-82 subscription year. This message is a reminder that present subscribers will not receive the next issue of ALERT until their re-subscription fees are received.

Subscription fees and policies will remain unchanged for the new subscription year — \$10 for an individual subscription and \$7 per group member for a group subscription, if every member of the group subscribes. Application forms can be obtained by writing the Criminal Division, Department of the Attorney General, State House, Station 6, Augusta, Maine 04333. The continued cooperation of all criminal justice agencies and personnel will enable us to continue publishing the ALERT Bulletin at its present scope and frequency.


JAMES E. TIERNEY
Attorney General

This issue of ALERT presents and discusses some of the important legislation enacted by the First Regular Session of the 110th Maine Legislature. Some acts create new law and others amend existing law. If new law is created, the entire new law will be set in **bold** print. If existing law is amended, only the new material will be set in **bold** print. Statutes amended by deleting some of their wording will be presented in regular print as they now stand after the deletion. The placement of four asterisks **** within a law indicates that one or more provisions of the law have been omitted to conserve space, but are still in effect.

Self-explanatory legislation will be reported without comment. Legislation which needs clarification as to purpose, effect, or meaning or which is too long for reproduction will be explained by a brief italicized COMMENT. The number preceded by C. appearing before the title of each act is the chapter number of the Public Laws of 1981, and is included for the reader's convenience in referring to specific acts.

Acts will be presented in order by the Title of the Maine Revised Statutes under which they appear. The titles of emergency acts will be followed by the designation (Emergency). Except for these emergency acts, all acts become effective on September 18, 1981. The effective dates of emergency acts will be indicated in the COMMENT on those acts.

TITLE 15

C. 420 AN ACT to Clarify the Domestic Violence Statutes

COMMENT: This act amends 15 M.R.S.A. §301 to change the definition of "family or household members" to include persons who have never been married and have never lived together, but who are the natural parents of the same child. This act also clarifies that a law enforcement officer may arrest for violation of a protective order issued under 15 M.R.S.A. §301 without a warrant upon probable cause, whether or not the violation is committed in his presence.

C. 392 AN ACT Recommending Changes in the Maine Juvenile Code and Related Provisions

COMMENT: This act amends several sections of the Maine Juvenile Code and related provisions. Of particular interest to law enforcement officers is the enactment of 15 M.R.S.A. §3203 (4-A). This new subsection allows the

Juvenile Court to issue a warrant for the arrest of a juvenile who has intentionally or knowingly violated a condition of his release. The new subsection also allows a law enforcement officer having probable cause to believe that a juvenile has violated a condition of his release in the officer's presence to arrest the juvenile without a warrant. Following the arrest of a juvenile for a violation of a condition of his release, either with or without a warrant, the officer must immediately notify the intake worker.

This amendment provides a sanction for violation of a condition of a juvenile's release. Under current law, intake workers are reluctant to attach conditions of release because there is no clear means of enforcing them.

TITLE 17

C. 418 AN ACT to Revise the Public Drinking Law (Emergency).

17 M.R.S.A. §2003-A. Definitions

1. Definitions. As used in this section, unless the context indicates otherwise, the following terms have the following meanings:

A. "Authorized person" means a person having a relationship to the premises, which is unique and not shared by the general public. With respect to property owned by another, it includes a tenant, custodian or night watchman. With respect to publicly-owned property, it includes police officers and other public employees charged with the responsibility of maintaining or protecting public property.

B. "Liquor" means and includes any alcoholic, spirituous vinous, fermented or other alcoholic beverage, or combination of liquors and mixed liquors, intended for human consumption, which contains

more than ½ of 1% of alcohol by volume.

C. "Open container" means not having a cap, stopper or other cover in place.

D. "Public place" means:

(1) A place owned or operated by a governmental entity to which the public at large or a substantial group has access, including but not limited to:

(a) Public ways as defined in Title 17-A, section 505;

(b) Schools, government-owned custodial facilities; and

(c) The lobbies, hallways, lavatories, toilets, and basement portions of apartment houses, hotels, public buildings and transportation terminals; and

(2) Private ways and parking areas, physically adjacent to public ways and designed primarily for vehicular traffic.

2. Crime. A person is guilty of public drinking, after being forbidden to do so personally by a law enforcement officer, if he drinks liquor in any public place knowing that he is not licensed or privileged to do so, unless he has been given permission to do so by the owner or authorized person. Violation of this section is a Class E crime.

3. Evidence. The possession of an open container of liquor in a public place is prima facie evidence of a violation of this section.

COMMENT: This new law, which repeals and replaces 17 M.R.S.A. §2003, permits a law enforcement officer to arrest a person for public drinking if:

[1] The person drinks liquor in any public place," as defined in §2003-A (1)(D);

[2] The person has been personally forbidden to do so by a law enforcement officer; and

[3] The person knows that he is not licensed or privileged to do so.

The officer may not arrest the person unless all three of the above factors are present. Also, the officer may not arrest the person if the person has been given permission to drink liquor in a public place by the owner or "authorized person," as defined in §2003-A (1)(A).

The officer need not actually observe a person take a drink in order to arrest under the new law. If the person is in possession of an "open container" [as defined in §2003-A (1)(C)] of liquor, that possession is prima facie evidence of a violation and would justify an arrest. Also, the officer making the arrest need not be the same officer that personally forbade the person from drinking in public. Once one officer has so warned a person, any other officer may arrest the person if the person disobeys the warning. Officers should give persons who have been warned a reasonable time to properly dispose of open containers. Finally, the officer should attempt to determine if the person has been given permission to drink liquor in a public place by the owner or authorized person, and if not, to determine if the person knows that he is not licensed or privileged to do so. Ordinarily, the best way to obtain this information is simply to ask the person who is drinking in public. It should be noted that a law enforcement officer is an "authorized person," under § 2003-A (1)(A) and may give permission to drink in certain public places under proper circumstances.

The officer giving the initial warning should, when circumstances dictate, clearly advise the

person that he is not licensed or privileged to drink liquor in a public place. Such an additional warning will satisfy the knowledge requirement for any subsequent arrest.

The new public drinking law was enacted as an emergency measure and therefore became effective on June 5, 1981.

TITLE 17-A

C. 324 AN ACT to Reorganize Certain Chapters of the Maine Criminal Code.

COMMENT: This act substantially reorganizes Part 1 [General Principles] and Part 3 [Punishments] of the Criminal Code in order to reveal more clearly the actual operation of the fundamental principles of the criminal law and to improve the understanding of the code's provisions by judges, lawyers, law enforcement officers, and the general public. The reorganization is too extensive to reproduce or discuss in detail in the ALERT Bulletin.

C. 317 AN ACT to Amend the Criminal Code and Related Criminal Laws

COMMENT: This act makes several minor and technical amendments to the Criminal Code. Provisions of particular interest to law enforcement officers will be reproduced and discussed.

17-A M.R.S.A. §208. Aggravated assault

1. A person is guilty of aggravated assault if he intentionally, knowingly, or recklessly causes:

A. Serious bodily injury to another; or

B. Bodily injury to another with use of a dangerous weapon; or

C. Bodily injury to another under circumstances manifesting extreme indifference to the

value of human life. Such circumstances include, but are not limited to, the number, location or nature of the injuries, the manner or method inflicted, or the observable physical condition of the victim.

This amendment makes it clear that the observable physical condition of the victim is a circumstance to be taken into account in aggravated assault prosecutions. Officers, therefore, should take careful notes of their observations of the physical condition of assault victims.

17-A M.R.S.A. §352 Definitions

As used in this chapter [Theft], unless a different meaning is plainly required by the context:

3. "Intent to deprive" means to have the conscious object:

C. To use or dispose of the property under circumstances that make it unlikely that the owner will recover it or that manifest an indifference as to whether the owner will recover it.

17-A M.R.S.A. §453. Unsworn falsification.

1. A person is guilty of unsworn falsification if:

C. With the intent to conceal his identity from a law enforcement officer while under arrest for a crime, after having been warned that it is a crime to give false information concerning identity, he gives false information concerning his name or date of birth, including, but not limited to, a signature.

This amendment makes it a crime for a person to give false information concerning name or date of birth if:

[1] *The person is under arrest;*

[2] *The person has been warned that it is a crime to give false information concerning identity; and*

[3] *The person intends to conceal his identity.*

17-A M.R.S.A. §1107. Unlawful possession of schedule W, X and Y drugs

1. A person is guilty of unlawful possession of a scheduled drug if he intentionally or knowingly possesses what he knows or believes to be a scheduled drug, and which is, in fact, a scheduled drug, unless the conduct which constitutes such possession is either:

A. Expressly authorized by Title 22; or

B. Expressly made a civil violation by Title 22.

This amendment removes the requirement under the current law that a person possess "a useable amount" of a scheduled drug in order to be convicted under §1107. Possession of any amount of a scheduled drug will now support a conviction.

C. 252 AN ACT to Define Force under the Sex Offense Provisions of the Criminal Code

17-A M.R.S.A. §251. Definitions and general provisions.

1. In this chapter the following definitions apply:

E. "Compulsion" means physical force, a threat of physical force or a combination thereof which makes a person unable to physically repel the actor or which produces in that person a reasonable fear that death, serious bodily injury or kidnapping might be imminently inflicted upon that person or upon another human being.

17-A M.R.S.A. §252. Rape

1. A person is guilty of rape if he engages in sexual intercourse:

A. With any person, not his spouse, who has not in fact attained his 14th birthday; or

B. With any person, not his spouse, and the person submits as a result of compulsion, as defined in section 251, subsection 1, paragraph E.

17-A M.R.S.A. §253. Gross sexual misconduct

A person is guilty of gross sexual misconduct

1. If he engages in a sexual act with another person, not his spouse, and

A. The other person submits as a result of compulsion, as defined in section 251, subsection 1, paragraph E; or

COMMENT: This amendment makes it clear that a combination of physical force and threats may be sufficient to overbear the will of a victim of rape or gross sexual misconduct, although either the force or the threat standing alone may not be sufficient.

C. 37 AN ACT to Amend the Disorderly Conduct Statutes to Include Instances of Affray.

17-A M.R.S.A. §501. Disorderly Conduct.

A person is guilty of disorderly conduct if:

1. In a public place, he intentionally or recklessly causes annoyance to others by intentionally:

A. Making loud and unreasonable noises; or

B. Activating a device, or exposing a substance, which releases noxious or offensive odors; or

C. Engaging in fighting, after having been ordered by a law enforcement officer to cease fighting;

C. 245 AN ACT Relating to Child Prostitution

17-A M.R.S.A. §853-A. Engaging in prostitution

1. A person is guilty of engaging in prostitution if he engages in prostitution as defined in section 851.

2. Engaging in prostitution is a Class E crime except that it is subject only to the penalties provided in section 1301, unless the defendant has not attained his 18th birthday, in which case the disposition provided in Title 15, section 3314 is applicable.

COMMENT: This amendment clarifies the law by ensuring that a minor engaging in prostitution is dealt with under the Juvenile Code.

17-A M.R.S.A. §855. Patronizing prostitution of a minor

1. A person is guilty of patronizing prostitution of a minor if in return for another's prostitution he gives or agrees to give a pecuniary benefit either to the person whose prostitution is sought or to a 3rd person and the person whose prostitution is sought has not yet attained his 18th birthday.

2. Patronizing prostitution of a minor is a Class D crime.

C. 266 AN ACT to Prohibit the Sale and Use of Drug Paraphernalia.

COMMENT: This act creates 17-A M.R.S.A. §1111-A. Sale and use of drug paraphernalia. It is modeled after the Drug Paraphernalia Act drafted by the federal Drug Enforcement Administration. The new law is designed to deal specifically with the widely recognized problem of controlling the sale of devices used or intended for use in conjunction with illegal controlled substances. After defining "drug paraphernalia," the new law makes the use, or possession with intent to use, of drug paraphernalia in connection with a scheduled drug in violation of 17-A M.R.S.A. chapter 45 or 22 M.R.S.A. §2383 a civil violation. Trafficking in or furnishing drug

paraphernalia, knowing, or under circumstances where one should know, that it will be used in connection with a scheduled drug is made a Class E crime. Trafficking in or furnishing drug paraphernalia to a child under 16 years of age, however, is a Class D crime. The publication of commercial advertisements promoting the sale of drug paraphernalia is a Class E crime. Any drug paraphernalia possessed in violation of the new law is declared to be contraband and may be seized and confiscated by the State.

TITLE 19

C. 420 AN ACT to Clarify the Domestic Violence Statutes

COMMENT: This act makes minor changes in the new domestic violence laws in order to clarify ambiguities and close loopholes. The definition of "family or household members" is amended to include persons who have never been married and have never lived together, but who are the natural parents of the same child. Also, the act clarifies that the mandatory arrest provisions of 19 M.R.S.A. §770 (5) apply to criminal violations of court-approved consent agreements, criminal violations of protective orders issued pursuant to 19 M.R.S.A. chapter 14 or 15 M.R.S.A. chapter 12, and to violations of 17-A M.R.S.A. §208 (Aggravated assault) occurring between family or household members.

TITLE 22

C. 46 AN ACT to Include Money in the Law Regarding the Forfeiture of Property Used or Intended for Use in Violation of the Criminal Law Relating to Drugs. (Emergency)

COMMENT: This act, amending 22 M.R.S.A. §2387, permits the State to seize money, negotiable

instruments, securities, or other things of value which are involved in drug transactions in violation of Title 17-A, chapter 45. The current law provides no means for the State to keep the cash or other valuable property which is typically part of a drug transaction. This act also expands the powers of law enforcement officers by permitting them to seize forfeitable property, without a warrant or other process, when there is probable cause to believe that the property has been used or is intended to be used in violation of Title 17-A, chapter 45.

This act was enacted as an emergency measure and therefore became effective on February 27, 1981.

TITLE 25

C. 119 AN ACT to Establish Guidelines for the Issuance of Concealed Weapon Permits

COMMENT: This act revises the concealed weapons permit law, 25 M.R.S.A. §2031 et seq., and is primarily directed toward establishing specific guidelines for approving or denying a concealed weapons permit. Some of the important features of the new law are as follows:

(1) Perhaps the most important change from the current law on concealed weapons is the establishment in the new law of specific requirements for obtaining a concealed weapons permit. These requirements appear in 25 M.R.S.A. §2032. Of particular note is the provision that the issuing authority, in judging "good moral character", shall make its determination in writing based upon evidence recorded by a governmental entity within the previous 5 years. (See §2032, subsection 3). The issuing authority is also required to issue or deny the permit within 30 days of the application date and to reply in writing as to the reason for any refusal.

(2) The issuing authority for concealed weapons permits will be either the municipal officers of a city, town, or plantation or their full-time chief of police, the designation to be made by the municipal officers.

(3) All concealed weapons permits are valid for 2 years from the date of issue, unless sooner revoked for cause by the issuing authority.

(4) The issuing authority is not required, as under current law, to record as part of the public record, the complete descriptions of weapons and licensees, but each permit must contain the name, address and physical description of the applicant.

(5) The applications for permits, refusals, and supporting documentation received by the issuing authority are confidential and may not be made available for public inspection or copying, unless confidentiality is waived in writing.

(6) Whoever knowingly makes any false statement on an application for a concealed weapons permit or violates any provision of the new law is guilty of a Class D crime.

(7) A previous denial of a concealed weapons permit may not constitute the sole basis for a denial on a current application; but a revocation of a permit makes a person ineligible for reapplication for 5 years from the date of revocation.

Persons with significant responsibilities under the new concealed weapons permit law may obtain copies of the law by writing the Criminal Division, Department of the Attorney General, State House, Augusta, Maine 04333.

TITLE 29

AN ACT to Provide a One Month Grace Period for Expired Motor Vehicle Registrations

COMMENT: This act, amending 29 M.R.S.A. §102 requires that a person whose car registration has expired for less than 30 days receive a warning only. The person will then be allowed two business days to properly register. Under the current law, motorists with expired registrations receive citations sometimes requiring a court appearance, thereby straining an already overburdened court system. Often the motorist is required to leave the vehicle where it was stopped until it is registered. This amendment handles this minor infraction in a more equitable and realistic manner.

C. 88 AN ACT to Modify Certain Rules of the Road to Conform with the Uniform Vehicle Code.

COMMENT: This act creates 29 M.R.S.A. §944-A, dealing with yielding the right of way to vehicles and persons involved in highway construction; creates 29 M.R.S.A. §946-A, dealing with duties and privileges of drivers of authorized emergency vehicles; and amends 29 M.R.S.A. §999, dealing with operation of motorcycles and motor driven cycles. The current statutes have been nonuniform, obsolete, and in need of modernization based upon the most recent edition of the Uniform Vehicle Code prepared by the National Committee on Uniform Traffic Laws and Ordinances.

C. 97 AN ACT to Establish a Time Limit on Identifying Prior Refusal to Submit to a Chemical Test for Operating Under the Influence.

C. 458 AN ACT to Ensure the Admissibility of Results of Self-Contained, Breath-alcohol Testing Apparatuses (Emergency)

C. 468 AN ACT to Reform the Statutes Relating to Driving under the Influence of Intoxicating Liquor or Drugs.

C. 475 AN ACT to Amend Provisions Concerning the Operation of the Operation after Suspension and Habitual Offender Laws and Certain Nonsentencing Provisions of the Operating under the Influence Law.

COMMENT: These four acts deal primarily with implied consent and operating under the influence of intoxicating liquor. The acts make several substantial changes in the law, especially in 29 M.R.S.A. §1312, and create several new sections. Because the changes are so extensive, they are beyond the scope of this issue of ALERT and will be discussed in detail in a later issue. Some of the highlights of the changes affecting law enforcement officers are as follows:

- 1. The requirement that there be an arrest in order to trigger the implied consent provisions of 29 M.R.S.A. §1312 is repealed and replaced by the requirement that the officer have probable cause to believe that a person has operated or attempted to operate a motor vehicle while under the influence of intoxicating liquor. The purpose of this change is to enable an officer to issue a summons instead of arresting the person for operating under the influence.*
- 2. The law enforcement officer's power to make a warrantless arrest on probable cause, even though the offense is not committed in his presence, is expanded to include situations other than those involving accidents. The arrest, however, must occur within a period following the offense reasonably likely to result in the obtaining of probative evidence of blood-alcohol level.*
- 3. The criminal offense of operation with an excessive blood-alcohol level is created.*
- 4. The civil violation of operation under the influence of intoxicating liquor or drugs or*

with an excessive blood-alcohol level is created.

5. If the accused selects a breath test, the law enforcement officer may, under the new law, determine which type of breath test to be administered.

6. The results of self-contained, breath-alcohol testing apparatuses are admissible in evidence and carry the same probative weight as traditional blood and breath tests.

C. 117 AN ACT to Amend the Laws Relating to Examinations of Motor Vehicles by Police Officers and to Increase the Penalty for Avoiding a Police Roadblock.

29 M.R.S.A. §2501-A. Refusing to stop for a law enforcement officer.

1. Definitions. For the purposes of this section, the term "signal" may include the use of a hand signal, siren or flashing emergency lights, and the term "roadblock" means a physical barrier, a vehicular or other obstruction placed upon a way at the direction of a law enforcement officer.

2. Failure to stop. It is unlawful for the operator of any motor vehicle to fail or refuse to stop that vehicle upon request or signal of any uniformed law enforcement officer. Failure to comply with this subsection is a Class E crime.

3. Eluding an officer. Whoever, after being requested or signaled to stop, attempts to elude a law enforcement officer by driving a vehicle at a reckless rate of speed which results in a high-speed chase between the operator's vehicle and any law enforcement vehicle using a blue light or siren is guilty of a Class D crime.

4. Passing a roadblock. It is unlawful for the operator of any motor vehicle to pass or attempt to pass a roadblock, clearly identifiable as a police roadblock, without authorization. Failure to comply with this subsection is a Class C crime.

COMMENT: These amendments are self-explanatory, except that law enforcement officers should take special note that a person will not be guilty of failing to stop upon the request or signal of an officer, unless the officer is in uniform.

Another section of this act amends 29 M.R.S.A. §2501 by making it a Class E crime for a person, while operating a vehicle in violation of Title 29, to fail or refuse to give his correct name and address, when requested by an officer authorized to make arrests. This new law strengthens the authority of officers who are faced with this situation daily, especially when the violations involve operating without a license or operating while under suspension. When an officer believes that a person is attempting to evade identification, it may prove fruitful to remind the person that failing or refusing to give a correct name and address is a crime. It should be noted, however, that there is no requirement of a warning nor of an arrest as under the newly enacted amendment to 17-A M.R.S.A. §453 (Unsworn falsification), discussed above.

TITLE 34

C. 493 AN ACT to Create a Department of Corrections

COMMENT: This act, enacting 34 M.R.S.A. chapter 2, creates a separate Department of Corrections directly accountable to the Governor and renames the Department of Mental Health and Corrections as the Department of Mental Health and Mental Retardation. The purpose of the act is to improve administration of correctional programs and to provide greater accountability of those responsible for administering corrections programs and institutions to the Governor and the Legislature.

TITLE 38

C. 184 AN ACT to Establish the Department of Public Safety as the Lead Agency Regarding Accidental Spills of Hazardous Waste Matter.

COMMENT: This act amends 38 M.R.S.A. §1318-B and its purpose is to provide a state-wide response capability to hazardous matter incidents by requiring discharges to be reported first to the Department of Public Safety and directing that department to notify other agencies, state and local. The act also clarifies the authority for the preservation of public order and safety and for responding to the spill between the Department of Public Safety and local public safety agencies, in order to minimize confusion during an emergency.

OTHER ACTS OF INTEREST

Because of space limitations, we have been unable to present or discuss all the recent legislation of interest to criminal justice personnel in this issue of ALERT. We have presented only that legislation which we felt was most important or far-reaching. Because value judgments as to importance may differ, however, we are listing here the titles of all other acts of relevance to members of the criminal justice system. The titles of the acts should give some insight as to their content.

Any member of the criminal justice community may obtain a copy of any act mentioned in this issue of ALERT by writing the Criminal Division, Department of the Attorney General, State House, Augusta, Maine 04330.

C. 11 AN ACT to Amend the Motor Vehicle Statutes to Allow the Secretary of State to Enter into the Nonresident Violator Compact. (Emergency).

C. 12 AN ACT to Change the Name of Roadside Menagerie to Wildlife Exhibit under the Inland Fisheries and Wildlife Laws.

C. 14 AN ACT to Provide for the Use of Flashing White Lights on Ambulances.

C. 36 AN ACT to Amend the Litter Control Law by Allowing the Judge More Discretion in Imposing Clean-up Penalties.

C. 41 AN ACT to Coordinate and Assign the Responsibility for Conducting Air Search and Rescue Operations in the State Arising from Aeronautical Activities.

C. 44 AN ACT to Repeal the Law Barring Minors from Bowling Alleys, Pool Rooms and Shooting Galleries.

C. 52 AN ACT to Create a Special Moped License for Persons 16 Years and Over.

C. 55 AN ACT to Preserve Maine's Archeological Heritage.

C. 64 AN ACT to Amend the Laws Relating to Criminal History Record Information.

C. 73 AN ACT to Permit 10% Overweight Tolerance for Certain Material Transported on the Highways.

C. 79 AN ACT to Change the Motor Vehicle Laws to Allow Operators to Redistribute their Axle Weight Limits while Traversing Maine's Interstate Systems.

C. 81 AN ACT Relating to the Raising of Wild Waterfowl in Captivity.

C. 84 AN ACT Pertaining to Public Safety on Public Ways.

C. 91 AN ACT Relating to the Size of Scallop Drags in Certain Coastal Waters.

C. 96 AN ACT to Limit Scallop Dragging.

C. 98 AN ACT to Consolidate Highway Safety Activities within the Department of Public Safety.

C. 113 AN ACT to Revise the Law Relating to the Licensing of Private Security Guards.

C. 115 AN ACT to Conform and Strengthen the Law Concerning the Burning of Debris.

C. 118 AN ACT to Provide an Open Season on Moose.

C. 121 AN ACT Prohibiting Businesses from Raffling or Giving Away Live Animals, Fowl or Reptiles as a Fund-raising Device.

C. 123 AN ACT to Provide that Certain Licenses Issued by the Department of Inland Fisheries and Wildlife be Issued on the Basis of Fiscal Year.

C. 126 AN ACT to Revise the Law Relating to the Licensing of Private Investigators

C. 130 AN ACT Relating to Games of Chance Sponsored by Charitable Organizations.

C. 143 AN ACT to Provide for a Transition before the Attorney General takes Office.

C. 204 AN ACT to Remove the Authority of a Juvenile Intake Worker to Make Informal Adjustments for Juveniles Who Operate a Motor Vehicle under the Influence of Intoxicating Liquor or Drugs.

C. 222 AN ACT to Establish the Open Season on Bear. (Emergency).

C. 224 AN ACT to Provide for a Closed Season on Black Bear from the First Monday Following Thanksgiving to September 1st.

C. 231 AN ACT to Deregulate the Bag Limit and Size Requirements of Striped Bass.

C. 237 AN ACT to Require Trucks Carrying Explosive Material to Come to a Complete Stop Before Crossing Railroad Tracks.

C. 238 AN ACT to Amend Certain Aspects of Post-Conviction Review.

C. 253 AN ACT to Provide for Deduction of Points from the Driver's License of a Minor Illegally Transporting Liquor. (Emergency).

C. 267 AN ACT to Amend the Law Prohibiting Law Enforcement Officers from Soliciting Funds.

C. 269 AN ACT Concerning Qualifications of Law Enforcement Officials.

C. 297 AN ACT to Regulate the Taking of Mahogany Quahogs.

C. 326 AN ACT Pertaining to Willful Killing and Injuring of Police Dogs and to Licensing Fees for Police Dogs.

C. 344 AN ACT to Regulate Motorized Bicycles.

C. 360 AN ACT Amending the Statutes Relating to Restitution.

C. 361 AN ACT to Permit the Publication of the Names of Juveniles in Connection with Arrests and Court Appearances.

C. 375 AN ACT to Establish Strict Penalties for Hazardous Waste Dumping and to Provide Specific Definitions of Hazardous Waste.

C. 379 AN ACT TO Clarify a Sentencing Disposition of Juvenile Offenders.

C. 382 AN ACT to Create the Charleston Correctional Facility within the Department of Mental Health and Corrections.

C. 404 AN ACT to Establish an Arson Reporting Immunity Act.

C. 413 AN ACT to Require the Escort of Certain Oversize Vehicles.

C. 414 AN ACT to Clarify the Inland Fisheries and Wildlife Laws of Maine.

C. 430 AN ACT to Amend the Hazardous Waste Statute to Meet Certain Requirements for Delegation of the Federal Program and to Provide Internal Consistency.

C. 437 AN ACT to Amend Certain Motor Vehicle Laws.

C. 446 AN ACT to Increase Local Control of Water Districts.

C. 456 AN ACT Relating to Periodic Justification of Departments and Agencies of State Government Under the Maine Sunset Law. (Emergency).

C. 461 AN ACT to Provide a Special Muzzle-Loading Hunting Season.

C. 470 AN ACT to Make Corrections of Errors and Inconsistencies in the Laws of Maine.

C. 487. AN ACT to Provide for the Election of Jury Trials in Certain Criminal Cases.

C. 506 AN ACT to Provide Photographic Nonalterable Drivers' Licenses and Identification Cards.

C. 529 AN ACT to Make Additional Corrections of Errors and Inconsistencies in the Laws of Maine.

Comments directed toward the improvement of this bulletin are welcome. Please contact the Criminal Division, Department of the Attorney General, State House, Augusta, Maine 04333.

ALERT

The matter contained in this bulletin is intended for the use and information of all those involved in the criminal justice system. Nothing contained herein is to be construed as an official opinion or expression of policy by the Attorney General or any other law enforcement official of the State of Maine unless expressly so indicated.

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