

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
117TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
CRIMINAL JUSTICE

AUGUST 1995

**Staff:**

*Marion Hylan Barr, Legislative Analyst*

*Office of Policy and Legal Analysis  
Room 101/107/135, 13 State House Station  
Augusta, ME 04333  
(207)287-1670*

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*\*Denotes Chair*



**Maine State Legislature  
OFFICE OF POLICY AND LEGAL ANALYSIS**

State House Station 13, Augusta, Maine 04333  
Telephone (207) 287-1670  
Telecopier (207) 287-1275

**ONE HUNDRED AND SEVENTEENTH LEGISLATURE  
FIRST REGULAR SESSION**

**SUMMARY OF LEGISLATION BEFORE  
THE JOINT STANDING COMMITTEES**

**AUGUST 1995**

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees of the Maine Legislature. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries. The publication, History and Final Disposition of Legislative Documents, is helpful in determining to which committee any particular bill was referred.

In this document, the committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. All adopted amendments are listed, by paper number, together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various categories of final action are abbreviated as follows:

<i>CARRIED OVER</i>	<i>Bill carried over to Second Session</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House &amp; Senate disagree; bill died</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not to Pass report accepted</i>
<i>P&amp;S XXX</i>	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of enacted Resolve</i>
<i>UNSIGNED</i>	<i>Not signed by Governor within 10 days</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

These summaries were prepared by the analyst or analysts assigned to the committee. If more detailed information is needed on a bill, contact the committee analyst.

5581LHS

driver's license if the petitioner's attorney were unable to attend a hearing on administrative suspension due to circumstances beyond the attorney's control.

COMMITTEE AMENDMENT "A" (H-20) was the majority report and would have added a fiscal note to the bill.

**LD 259**      **An Act to Change from 2% to 5% the Percentage of the Amount Paid to County Jails from the Government Operations Surcharge Fund**      ONTP

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
BUNKER	ONTP	

**SUMMARY**

This bill would have increased the percentage from 2% to 5% of the amount paid to county jails from the Government Operations Surcharge Fund.

Concepts from this bill were incorporated into LD 110, "An Act to Increase the County Share and Change the Name of the Government Operations Surcharge Fund." LD 110 was later indefinitely postponed.

**LD 278**      **An Act to Require That a Person Convicted of More Than One Crime Serve Each Sentence Consecutively**      ONTP

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
OTT HANLEY	ONTP	

**SUMMARY**

This bill would have amended the Maine Criminal Code to require the court, when imposing multiple terms of imprisonment for multiple crimes, to sentence the defendant to serve the terms consecutively, rather than concurrently, in almost all cases.

**LD 368**      **An Act to Establish a Presumption That the Owner of a Motor Vehicle Is the Driver If That Vehicle Is Involved in a High-speed Chase**      ONTP

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
AIKMAN	ONTP      MAJ OTP-AM      MIN	

**SUMMARY**

Current law classifies the act of eluding a law enforcement officer that results in a high-speed chase as a Class C crime. This bill would have held both the owner and the operator of the vehicle liable for damages resulting from the high-speed chase. The owner of a vehicle involved in a high-speed chase would have been guilty of committing a traffic infraction, although specific defenses would have applied. The owner could not have been adjudicated as having committed the traffic infraction if:

1. A person other than the owner was convicted of eluding an officer and engaging in the high-speed chase;
2. The owner was a lessor of the vehicle and the vehicle was in the possession of a lessee;
3. The vehicle was operated using a dealer or transporter registration plate and the operator was someone other than the dealer or transporter; or