

# 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

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Rep. G. Paul Waterhouse*

*\*Denotes Chair*



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**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

**An Act to Increase Police Authority in Certain Cases of Disorderly Conduct**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
O'GARA	OTP-AM MAJ	H-173
ESTY	ONTP MIN	H-315 CLARK

**SUMMARY**

This bill gives the police authority to make arrests in cases when they respond to a telephone or other oral complaint of a disturbance at a scene, issue a written warning that they intend to make arrests if called back to the same scene within the next 12 hours and they are called back. No warrant or sworn written complaint of the complaining person is required. This will prevent multiple uses of police resources to respond to disorderly conduct in cases when the complainant is not willing to sign a sworn complaint.

COMMITTEE AMENDMENT "A" (H-173) replaces the original bill and clarifies that law enforcement officers may act as complainants in certain instances of disorderly conduct. The amendment also adds a fiscal note.

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" (H-315) makes technical changes to the bill and further clarifies that law enforcement officers may act as complainants in certain instances of disorderly conduct.

**LD 482**      **An Act to Ensure that a Juvenile Conviction for a Serious Crime Is Made a Permanent Part of the Juvenile's Record**      **ONTP**

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

**SUMMARY**

Currently, a court may grant a petition to seal from public inspection all records pertaining to a juvenile crime. This bill would have required that the records of those persons adjudicated to have committed certain juvenile crimes be permanently maintained by the Maine Criminal Justice Information System for use in the dissemination of criminal history record information.

**LD 485**      **An Act to Protect Maine Neighborhoods from Drug Houses**      **ONTP**

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

**SUMMARY**

This bill would have amended the current common nuisance laws to provide for the closure of buildings used for the purchase, sale or use of illegal drugs. It was modeled on Ohio nuisance laws used for the same purposes.

Current law allows the Attorney General, a district attorney or 7 citizens to initiate an action against the nuisance. This bill would have added provisions to allow the court to order a restraining order prohibiting anyone from entering or taking any contents from a building against which an injunction had been issued.

The bill also would have required the Attorney General, in cooperation with local law enforcement agencies, to develop a program to eradicate drug houses by using remedies for common nuisances.