

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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**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:

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

COMMITTEE AMENDMENT "A" (S-125) replaces the original bill. It amends the Maine Bail Code by criminalizing a defendant's failure to report to the defendant's ordered place of imprisonment after the defendant has been granted a stay of execution. The amendment is consistent with law that criminalizes a defendant's failure to appear. It also adds a fiscal note.

LD 1199 An Act to Amend the Maine Criminal Code by PUBLIC 109
Correcting References to Committee Structure

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
BENOIT OTP

SUMMARY

This bill reflects recent changes in the committee structure of the Legislature. Instead of making reference to the Joint Standing Committee on Criminal Justice, generic language is used in an effort to avoid future amendments of this sort.

LD 1203 An Act to Rename the Crime of Endangering the Welfare of an PUBLIC 110
Incompetent Person

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
BENOIT OTP

SUMMARY

This bill replaces the word "incompetent" with the word "dependent" to more accurately describe a person who is unable to perform self-care because of advanced age, physical or mental disease, disorder or defect.

LD 1220 An Act Concerning Suspension of Drivers' Licenses of Minors ONTP
Who Operate Motor Vehicles Under the Influence

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
HATHAWAY ONTP

SUMMARY

This bill would have made it unlawful for a person under 21 years of age to operate a motor vehicle while having any alcohol in the blood. The bill also would have required the Secretary of State to suspend the person's license until that person attains the age of 21 years.

Some of the concepts in this bill are also present in LD 41, now PL 26, "An Act to Decrease to Zero the Allowable Blood-alcohol Level of a Person Holding a Juvenile Provisional License."

LD 1221 An Act to Establish Responsibility for the Investigation of PUBLIC 200
the Use of Deadly Force by Law Enforcement Officers

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
BENOIT OTP-AM S-145

SUMMARY

Presently, the Attorney General has the responsibility to investigate the use of deadly force by a law enforcement officer when that use of force results in death. As a practical matter, the Attorney General