

# 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:

<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

also investigates those uses of deadly force by law enforcement officers that do not result in death, but the investigation is conducted only upon request and invitation of the law enforcement agency involved. This proposal requires that any use of deadly force by a law enforcement officer, whether or not death results, be reported to the Attorney General.

COMMITTEE AMENDMENT "A" (S-145) to the bill strikes language that allows the Attorney General to designate any other law enforcement agency to conduct an investigation in a case of use of deadly force by a law enforcement officer. The Attorney General must conduct all such investigations.

The amendment also adds a mandate preamble and a fiscal note to the bill.

**LD 1228**      **An Act Relating to the Training and Certification of Law Enforcement Officers**      ONTP

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

**SUMMARY**

This bill would have deleted the condition of "subject to available funding" from 2 studies that were required by the Second Regular Session of the 116th Legislature to be completed by the Board of Trustees of the Maine Criminal Justice Academy. The bill would have required the study of the use of reserve and part-time law enforcement officers to be completed by June 1, 1995 and the study of the use of psychological examination for admission to the academy basic training course to be completed by November 1, 1995.

**LD 1231**      **An Act to Provide for a 10-Year License Suspension of Any Person Having 4 or More Operating-under-the-influence Convictions**      ONTP

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

**SUMMARY**

This bill would have required the sentencing court or the Secretary of State to suspend for 10 years the driver's license of a person convicted of a 4th OUI within a 6-year period. Persons convicted of 5 OUI violations, regardless of the period of time, would have had their license permanently suspended.

**LD 1234**      **An Act to Amend the Maine Criminal Code to Ensure Fairness in Classifying a Crime Based on the Value of Loss or Damage**      PUBLIC 224

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
CLUKEY	OTP-AM	H-260

**SUMMARY**

Since the inception of the Maine Criminal Code in 1976, inflation has eroded the value of the dollar more than 200%. This erosion was used as the basis for doubling the limits of all fines authorized under section 1301 of the Maine Criminal Code. See Public Law 1991, chapter 355, sections 1 and 2. This bill doubles the dollar amounts used to classify crimes based on the value of loss or damage in order to preserve the same scale of seriousness represented by the legislative judgment made at the time the Maine Criminal Code was created.

COMMITTEE AMENDMENT "A" (H-260) adds a fiscal note to the bill.