

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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**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 & 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&S XXX</i>	<i>Chapter # of enacted Private & 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

This bill also would have required the Division of Probation and Parole and the Department of Public Safety, State Bureau of Identification to report all registration information to the law enforcement agency for the locality in which the sex offender resided or planned to reside.

By January 1, 1996, the Commissioner of Public Safety would have had to develop regulations for the dissemination of information regarding sex offenders by local law enforcement agencies.

The issue of public notification of sex offenders released from jail has been carried over into the 2nd Regular Session. LD 1510, "An Act to Make Comprehensive Changes to Sex Offender Laws," will be used to incorporate all potential changes.

LD 1509 **An Act to Prohibit the Sale of Firearms to Minors without Parental Approval**

PUBLIC 263

SPONSOR(S)
CLEVELAND

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
S-199

SUMMARY

This bill creates the Class C crime of transferring a firearm to a minor.

COMMITTEE AMENDMENT "A" (S-199) replaces section 3 of the bill. The amendment creates a new Class D crime of unlawful transfer of a firearm to a minor. A person who is not the parent, foster parent or guardian of the transferee is guilty of transferring a firearm to a minor if the person to whom the firearm is transferred is in fact a minor.

The amendment creates 2 affirmative defenses to the crime of unlawful transfer of a firearm to a minor. If the transferor reasonably believed the other person was 16 years of age or older, and that belief is not based only on the appearance or word of the other person but on a picture identification, driver's license or similar method for determining the transferee's identity, it is an affirmative defense. If the parent or guardian of the minor approves the transfer of a firearm to a minor, it is also an affirmative defense.

The amendment also adds a fiscal note to the bill.

LD 1510 **An Act to Make Comprehensive Changes to the Sex Offender Laws**

CARRIED OVER

SPONSOR(S)
PINGREE

COMMITTEE REPORT

AMENDMENTS ADOPTED

SUMMARY

This bill would make comprehensive changes to the laws involving sex offenders, including the following.

1. All judges and justices would be required to attend a conference on sexual abuse.
2. The statute of limitations for civil actions involving sexual acts toward minors would be changed to allow actions to be brought up to 5 years after the victim reaches the age of majority.
3. All trials in which the defendant is accused of a sex offense against a minor would have to be conducted in a speedy fashion.