MAINE STATE LEGISLATURE

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STATE OF MAINE
118TH LEGISLATURE

FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
CRIMINAL JUSTICE

JULY 1997

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ONE HUNDRED EIGHTEENTH LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS

Summary Of Legislation Before The Joint Standing Committees
August 1997

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized alphabetically by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, <u>History and Final Disposition of Legislative Documents</u>, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

CARRIED OVER .... *Bill carried over to Second Regular Session*
CON RES XXX .... *Chapter # of Constitutional Resolution passed by both Houses*
CONF CMTE UNABLE TO AGREE .... *Committee of Conference unable to agree; bill died*
DIED BETWEEN BODIES .... *House & Senate disagree; bill died*
DIED IN CONCURRENCE .... *One body accepts ONTP report; the other indefinitely postpones the bill*
DIED ON ADJOURNMENT .... *Action incomplete when session ended; bill died*
EMERGENCY .... *Enacted law takes effect sooner than 90 days*
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE .... *Emergency bill failed to get 2/3 vote*
FAILED ENACTMENT/FINAL PASSAGE .... *Bill failed to get majority vote*
FAILED MANDATE ENACTMENT .... *Bill imposing local mandate failed to get 2/3 vote*
INDEF PP .... *Bill Indefinitely Postponed*
ONTP .... *Ought Not To Pass report accepted*
OTP ND .... *Committee report Ought To Pass In New Draft*
OTP ND/NT .... *Committee report Ought ToPass In New Draft/New Title*
P&S XXX .... *Chapter # of enacted Private & Special Law*
PUBLIC XXX .... *Chapter # of enacted Public Law*
RESOLVE XXX .... *Chapter # of finally passed Resolve*
UNSIGNED .... *Bill held by Governor*
VETO SUSTAINED .... *Legislature failed to override Governor's Veto*

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

David E. Boulter, Director
Offices Located in the State House, Rooms 101/107/135

Committee Amendment "A" (H-102) proposed to increase the maximum assessment for the cost of incarceration of a prisoner in a county jail to $80 per day to help defray the costs of incarceration. The amendment also proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 1997, chapter 88 helps defray the costs of incarceration by increasing from $20 to $80 the maximum daily assessment for the cost of incarceration of a prisoner in a county jail.

LD 64   **An Act to Provide Reimbursement to Counties for Persons Jailed on**   **PUBLIC 533**
                   Probation Revocations

Sponsor(s)	Committee Report	Amendments Adopted
WHEELER E	OTP-AM	H-380
FERGUSON		S-395 MICHAUD

LD 64 proposed to require the Department of Corrections to reimburse counties for persons sentenced to county jails for probation revocations.

Committee Amendment "A" (H-380) proposed to remove the emergency preamble and the emergency clause from the bill. The amendment also proposed to remove section 1 of the bill, which would have been necessary only if the bill were enacted as an emergency.

Senate Amendment "A" (S-395) to Committee Amendment "A" proposed to clarify that the Department of Corrections' reimbursement obligation to counties for persons sentenced to county jail pursuant to a probation revocation proceeding was limited to persons originally sentenced for Class A, B or C crimes.

Enacted law summary

Public Law 1997, chapter 533 requires the Department of Corrections to reimburse counties for persons sentenced to county jails for probation revocations if the persons were originally sentenced for Class A, B or C crimes.

LD 65   **An Act to Amend the Laws Regarding Reimbursement to the**   **CARRIED OVER**
                   Counties for Community Corrections

Sponsor(s)	Committee Report	Amendments Adopted
MCALEVEY		
LAFOUNTAIN		

LD 65 prohibits the Department of Corrections from subtracting jail revenues raised by a county from a jail's expenditures. Currently, pursuant to the Department of Corrections Uniform Accounting Report Forms, jail revenues are subtracted from the jail's total expenditures for the purpose of reducing the Department of Corrections reimbursement rate to the county for housing state prisoners.

LD 65 was carried over to the Second Regular Session of the 118th Legislature.