

MAINE STATE LEGISLATURE

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STATE OF MAINE
118TH LEGISLATURE

SECOND REGULAR SESSION
AND
SECOND SPECIAL SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
CRIMINAL JUSTICE

MAY 1998

MEMBERS:

Sen. Robert E. Murray, Jr., Chair

Sen. William B. O'Gara

Sen. Betty Lou Mitchell

Rep. Edward J. Povich, Chair

Rep. George H. Bunker, Jr.

Rep. Roger D. Frechette

Rep. Sharon Libby Jones

Rep. Christopher T. Muse

Rep. Michael J. McAlevey

Rep. Judith B. Peavey

Rep. Edgar Wheeler

Rep. Julie Ann O'Brien

Rep. James H. Tobin, Jr.

Staff:

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ONE HUNDRED EIGHTEENTH LEGISLATURE
SECOND REGULAR AND SECOND SPECIAL SESSIONS

Summary Of Legislation Before The Joint Standing Committees
May 1998

We are pleased to provide this summary of bills that were considered by the Joint Standing Committees of the Maine Legislature. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. 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 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, History and Final Disposition of Legislative Documents, 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:

- 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 To Pass 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 Second Regular Session (unless otherwise specified in a particular law) is June 30, 1998 and July 9, 1998 for the Second Special Session. Second Special Session laws include Public Laws beginning with Chapter 718, Private and Special Laws beginning with Chapter 82 and Resolves beginning with Chapter 117.

Enacted law summary

Public Law 1997, chapter 580 requires the Director of the Maine Emergency Management Agency, with the Office of the Chief Medical Examiner, to prepare a plan for the recovery, identification and disposition of human remains in a disaster.

LD 2022

An Act to Make Corrections to the Laws Governing the Maine Bail Code

**PUBLIC 585
EMERGENCY**

Sponsor(s)
MURRAY
POVICH

Committee Report
OTP-AM

Amendments Adopted
S-459

LD 2022 proposed to make changes to the laws enacted by Public Law 1997, chapter 543 governing the Maine Bail Code to correctly reflect legislative intent.

Committee Amendment "A" (S-459) proposed to restore the definition of ensuring the integrity of the judicial process to the Maine Bail Code. The definition was inadvertently left out of the bill.

Enacted law summary

Public Law 1997, chapter 585 makes changes to the laws enacted by Public Law 1997, chapter 543 governing the Maine Bail Code to correctly reflect legislative intent.

LD 2027

An Act to Ensure Collection of Essential Data by the Department of Public Safety

**PUBLIC 608
EMERGENCY**

Sponsor(s)
MURRAY
POVICH

Committee Report
OTP-AM

Amendments Adopted
S-478

LD 2027 proposed to expand the list of individuals who are authorized to take blood samples for DNA analysis to include licensed practical nurses and other licensed medical personnel trained to take blood samples.

This bill also proposed to require a law enforcement agency that enters a report of a missing child in the State Police and National Crime Information computer systems to update the report within 60 days with medical and dental information.

Committee Amendment "A" (S-478) replaced the bill. The amendment proposed to do the following:

1. Add a mandate preamble, an emergency preamble and an emergency clause;
2. Specify that the DNA data base must be located at the Maine State Police Crime Laboratory or at State Police headquarters in Augusta;