

# 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.*  
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*Rep. Edgar Wheeler*  
*Rep. Julie Ann O'Brien*  
*Rep. James H. Tobin, Jr.*

*Staff:*

*Marion Hylan Barr, Legislative Analyst*

*Office of Policy and Legal Analysis*  
*Room 101/107/135, 13 State House Station*  
*Augusta, ME 04333*  
*(207)287-1670*



**Maine State Legislature**  
**OFFICE OF POLICY AND LEGAL ANALYSIS**

13 State House Station, Augusta, Maine 04333-0013  
 Telephone: (207) 287-1670  
 Fax: (207) 287-1275

**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](http://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.

a plan to address the remaining needs by January 1, 2004; and to report the plan to the Criminal Justice Committee by January 15, 1999. Resolve 1997, chapter 124 also appropriates funding for the provision of equipment for drug and alcohol testing to be used by probation officers to ensure compliance with the conditions of probation and for the per diem and expenses of legislative members of a probation services study group. General Fund appropriations for 14 new probation officers and two full-time and one part-time support staff and for taking DNA samples that appeared in Committee Amendment “A” (H-971) to LD 2185 were removed and included in the supplemental budget bill, now Public Law 1997, chapter 643.

**LD 2189**

**Resolve, Regarding Legislative Review of Certification and Monitoring of Batterer Intervention Programs, a Major Substantive Rule of the Department of Corrections**

**RESOLVE 92**

<u>Sponsor(s)</u>	<u>Committee Report</u> OTP	<u>Amendments Adopted</u>
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LD 2189 proposed to provide for legislative review of certification and monitoring of batterer intervention programs, a major substantive rule of the Department of Corrections.

*Enacted law summary*

Resolve 1997, chapter 92 authorizes the final adoption of rules by the Department of Corrections authorizing certification and monitoring of batterer intervention programs.

**LD 2232**

**An Act to Improve the Delivery and Effectiveness of State Correctional Services**

**PUBLIC 752**

<u>Sponsor(s)</u> MURRAY POVICH	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-603
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LD 2232 proposed to do the following:

1. Eliminate an outdated requirement that the Department of Corrections review the Maine Juvenile Code and recommend legislation;
2. Replace the reference to the Maine Youth Center as the place of commitment to a Department of Corrections juvenile correctional facility to reflect the restructuring of the juvenile system;
3. Eliminate outdated references to detention prior to the opening of the Northern Maine Regional Juvenile Detention Facility;
4. Reiterate the requirement already found in the Maine Juvenile Code that a detention hearing be held within 48 hours and put it in a place in the code where it is more likely to be found;