

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
119TH LEGISLATURE**

**FIRST REGULAR SESSION**

**BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
CRIMINAL JUSTICE**

**JULY 1999**

**MEMBERS:**

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Sen. William B. O'Gara  
Sen. Paul T. Davis*

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Rep. Christopher T. Muse  
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**ONE HUNDRED NINETEENTH LEGISLATURE**  
**FIRST REGULAR SESSION**

**Summary Of Legislation Before The Joint Standing and Select Committees**  
**August 1999**

We are pleased to provide this summary of all bills that were considered by the Joint Standing and Select Committees of the Maine Legislature this past session. 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 and select committees.

The document is organized for convenient reference to information on bills considered by the 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:

*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  
*ENACTMENT FAILED*..... Bill failed to get vote required for enactment or final passage  
*NOT PROPERLY BEFORE THE BODY*..... Ruled out of order by the presiding officers; bill died  
*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 First Regular Session (unless otherwise specified in a particular law) is September 18, 1999.

The bill proposed to require the Department of Corrections and the Department of Mental Health, Mental Retardation and Substance Abuse Services, Office of Substance Abuse to prepare and present a proposal to implement and fund the comprehensive substance abuse treatment program to the Joint Standing Committee on Criminal Justice by May 1, 1999. The bill also proposed to require the proposal to include a plan to make annual reports to the Joint Standing Committee on Criminal Justice with a summary regarding the progress of substance abuse treatment programs.

The bill also proposed to direct county jail administrators and the Department of Mental Health, Mental Retardation and Substance Abuse Services, Office of Substance Abuse to create, implement and operate the same type of comprehensive substance abuse program for inmates in county jails. As proposed, county jail administrators and the Department of Mental Health, Mental Retardation and Substance Abuse Services, Office of Substance Abuse also must report to the Joint Standing Committee on Criminal Justice regarding the progress of substance abuse treatment programs.

**Committee Amendment "A" (H-82)** proposed to strike the provisions that require the county jails, with the help of the Office of Substance Abuse, to create, implement and operate comprehensive substance abuse treatment plans. The amendment also proposed to add a fiscal note to the bill.

***Enacted law summary***

Private and Special Law 1999, chapter 35 directs the Department of Corrections and the Department of Mental Health, Mental Retardation and Substance Abuse Services, Office of Substance Abuse to create, implement and operate a comprehensive substance abuse program for prisoners. The program must include uniform clinical assessment of prisoners to identify substance abuse problems, to ensure access to a comprehensive substance abuse treatment program that facilitates participation of the prisoner and the prisoner's family, to provide a system to monitor treatment progress and a follow-through mechanism to ensure treatment completion.

Private and Special Law 1999, chapter 35 requires the Department of Corrections and the Department of Mental Health, Mental Retardation and Substance Abuse Services, Office of Substance Abuse to prepare and present a proposal to implement and fund the comprehensive substance abuse treatment program to the Joint Standing Committee on Criminal Justice by May 1, 1999. Private and Special 1999, chapter 35 also requires the proposal to include a plan to make annual reports to the Joint Standing Committee on Criminal Justice with a summary regarding the progress of substance abuse treatment programs.

Private and Special Law 1999, chapter 35 also directs county jail administrators and the Department of Mental Health, Mental Retardation and Substance Abuse Services, Office of Substance Abuse to create, implement and operate the same type of comprehensive substance abuse program for inmates in county jails. County jail administrators and the Department of Mental Health, Mental Retardation and Substance Abuse Services, Office of Substance Abuse also must report to the Joint Standing Committee on Criminal Justice regarding the progress of substance abuse treatment programs.

Private and Special Law 1999, chapter 35 was enacted as an emergency measure effective June 10, 1999.

**LD 877**

**An Act to Clarify Public Nuisance Descriptions**

**ONTP**

Sponsor(s)  
COLWELL  
GOLDTHWAIT

Committee Report  
ONTP

Amendments Adopted

LD 877 proposed to clarify that automobile graveyards are a public nuisance and that a person who establishes, operates or maintains an automobile graveyard without a permit commits a Class E crime.