

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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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).

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.

Committee Amendment "A" (H-153) proposed that no more than three adjoining municipalities together may contract to have a state police officer assigned to provide police services. The amendment also proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 1999, chapter 119 allows one and up to three adjoining municipalities without organized police departments together to contract with the Bureau of State Police to have a state police officer assigned to provide police services to the municipalities. Contracting municipalities must pay for the services.

LD 1221 **An Act Requiring a Mandatory Jail Sentence for a Person Convicted Twice of Sexual Abuse Against a Minor** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCNEIL AMERO	ONTP	

LD 1221 proposed to require a court to impose an underlying jail sentence and order counseling for a person convicted of sexual abuse of a minor if that person has one or more prior convictions of sexual abuse of a minor.

LD 1245 **An Act to Modify the Laws on Negotiating a Worthless Instrument** **DIED BETWEEN BODIES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BOWLES MACKINNON	ONTP MAJ OTP MIN	

LD 1245 proposed to amend the crime of negotiating a worthless instrument. Specifically, the bill proposed to:

1. Change the notice of dishonor provision from requiring the issuer of the check to actually receive the notice to requiring the return of the instrument to a bank for collection to be considered sufficient notice;
2. Decrease the minimum amount of the face value of the worthless negotiable instrument at which it becomes a Class D crime from over \$1,000 to over \$500;
3. Decrease the maximum amount of the face value of the worthless negotiable instrument at which it becomes a Class E crime from \$1,000 to \$500; and
4. Increase the penalty for a person who is convicted of more than one violation of passing a worthless negotiable instrument with a face value of \$500 or less.

House Amendment "A" (H-638) proposed to change the requirement for the return of a worthless instrument to a bank for collection from within 5 days to within 10 days. The amendment also proposed to remove the provisions that decrease the minimum amount of the face value of the worthless negotiable instruments for Class D and E crimes and remove the increase in penalty for a person who is convicted of more than one violation of passing a worthless negotiable instrument with a face value of \$500 or less. This amendment was not adopted.