

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.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE	OTP-AM	H-151

LD 1386 proposed to direct the Department of Public Safety, Bureau of State Police to develop and implement a police cadet program for youth who have graduated from high school or have a General Equivalency Diploma.

Committee Amendment "A" (H-151) proposed to replace the title and the resolve. The amendment proposed to expand the scope of planning and potential implementation for the police cadet program to include the entire Department of Public Safety; other state law enforcement agencies, including the Department of Inland Fisheries and Wildlife, the Department of Marine Resources and the Department of Conservation; municipal law enforcement agencies; and county law enforcement agencies. The amendment also proposed to direct the law enforcement agencies to work with the University of Maine at Augusta and direct the Department of Public Safety to coordinate reporting to the Joint Standing Committee on Criminal Justice. The amendment also proposed to add a fiscal note to the resolve.

Enacted law summary

Resolve 1999, chapter 58 directs the following entities to develop and implement a police cadet program: the Department of Public Safety; other state law enforcement agencies, including the Department of Inland Fisheries and Wildlife, the Department of Marine Resources and the Department of Conservation; municipal law enforcement agencies; and county law enforcement agencies. Resolve 1999, chapter 58 directs the law enforcement agencies to work with the University of Maine at Augusta and directs the Department of Public Safety to coordinate reporting to the Joint Standing Committee on Criminal Justice.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
POVICH	OTP-AM	H-428 H-475 CAMERON

Part A of LD 1400 proposed to amend the juvenile corrections laws to:

1. Require prosecutors to effect detention placement within 12 hours following arrest just as is now required of juvenile careworkers;
2. Specify that a conditional release becomes unconditional if report of notification is not filed by police within the 24 hours mandated by present law;
3. Clarify that a juvenile caseworker may decide that ongoing supervision of a juvenile is not required;
4. Eliminate administrative preliminary hearings and require court detention hearings to determine probable cause for probation revocation; and
5. Eliminate the age restriction on juveniles who may be detained at the Northern Maine Regional Juvenile Detention Facility so that it like the Maine Youth Center may be used to detain younger juveniles for whom there is no other alternative.