

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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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 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.

Public Law 1999, chapter 367 conforms the provisions governing fines in the Maine Criminal Code to similar restitution provisions that were recently amended by Public Law 1997, chapter 413.

Public Law 1999, chapter 367 enacts Title 17-A, section 1301-A, which contains provisions regarding the use of a fine relative to a natural person convicted of a crime that parallel the provisions in Title 17-A, section 1152, subsection 2-B and in the 2nd sentence of section 1302, which is repealed and replaced in Public Law 1999, chapter 367.

Finally, Public Law 1999, chapter 367 adds to Title 17-A, section 1329, subsection 3 the requirement that confinement for a default in payment of restitution be treated as nonconcurrent with any other judgment of conviction involving a term of imprisonment.

LD 2159 **An Act to Reimburse Androscoggin County for Shortfalls in State Reimbursement for Jail Costs** **CARRIED OVER**

<u>Sponsor(s)</u> BOLDUC		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 2159 proposes to reimburse Androscoggin County for the amount of county jail prisoner support costs that were incurred by Androscoggin County for the years 1991 to 1996 for which the county was not reimbursed by the State. LD 2159 was re-referred to the Joint Standing Committee on Appropriations and Financial Affairs.

This bill has been carried over to the Second Regular Session.

LD 2160 **An Act to Stop the Construction of the Prison at Warren** **ONTP**

<u>Sponsor(s)</u> SKOGLUND		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 2160 proposed to stop the construction of a correctional facility in the Town of Warren and revoke authorization to the Maine Governmental Facilities Authority to borrow money for the project.

LD 2174 **An Act to Protect the Citizens of Maine from the Dangers of Counterfeit Consumer Goods** **CARRIED OVER**

<u>Sponsor(s)</u> KILKELLY FISHER		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 2174 proposes to clarify and enhance penalties for the manufacture and sale of counterfeit consumer products and require the forfeiture of seized counterfeit consumer products.