

# MAINE STATE LEGISLATURE

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*State Of Maine  
120th Legislature*

*First Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Criminal Justice*

*August 2001*

**Members:**

*Sen. Michael J. McAlevey, Chair  
Sen. William B. O'Gara  
Sen. Paul T. Davis*

*Rep. Edward J. Povich, Chair  
Rep. Michael W. Quint  
Rep. Charles E. Mitchell  
Rep. Lillian LaFontaine O'Brien  
Rep. Patricia A. Blanchette  
Rep. Stanley J. Gerzofsky  
Rep. Judith B. Peavey  
Rep. Edgar Wheeler  
Rep. James H. Tobin, Jr.  
Rep. Lois A. Snowe-Mello*

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**Maine State Legislature**  
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**120th Legislature**  
**First Regular Session**

**Summary Of Legislation Before The Joint Standing Committees**  
**August 2001**

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 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*  
*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*  
*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 21, 2001**.

*David E. Boulter, Director*  
 Offices Located in the State House, Rooms 101/107/135

## Joint Standing Committee on Criminal Justice

**LD 852**

**An Act to Regulate Obscenity**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ANDREWS	ONTP MAJ OTP-AM MIN	

LD 852 proposed to create the crimes of promotion of obscenity and wholesale promotion of obscenity.

**LD 861**

**An Act to Criminalize Failure to Complete Contracted and Paid for Work by a Building Contractor**

**ONTP**

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

LD 861 proposed to create the Class D crime of contract theft. The bill proposed that a person commits contract theft when that person enters into a written construction contract and receives the money but then fails to do the work within the time specified by the contract plus 60 days, or if there is no time specified, within 90 days.

**LD 868**

**An Act to Amend the Laws Governing Reimbursement of Training Costs for Law Enforcement Officers**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LESSARD DAVIS P	ONTP	

LD 868 proposed to change the formula regarding reimbursement of law enforcement officer training costs that a governmental entity must pay to another governmental entity when a law enforcement officer who is a recent graduate of the Maine Criminal Justice Academy changes employers. Current law bases this formula on a percentage of the training costs depending upon when the law enforcement officer graduated. The bill proposed to base this formula on specified dollar amounts depending upon when the law enforcement officer graduated.

The bill proposed to provide that a governmental entity that hires a law enforcement officer who recently graduated from the Maine Criminal Justice Academy while on the payroll of another governmental entity does not have to reimburse that other governmental entity for training costs if that law enforcement officer has not worked as a law enforcement officer for a period of at least one year.