

# 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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**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 1315**                      **An Act to Expand the Crime of Assault on a Law Enforcement Officer**                      **ONTP**

<u>Sponsor(s)</u> MCALEVEY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1315 proposed to require that all offenses of assault on a law enforcement officer for which the law enforcement officer requires medical treatment must be charged as the Class C crime of assault on an officer and may not be charged as a lesser offense.

**LD 1330**                      **Resolve, Establishing the Commission to Examine the Maine Correctional Institute**                      **CARRIED OVER**

<u>Sponsor(s)</u> SKOGLUND MICHAUD MH		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 1330, a resolve, proposed to establish the Commission to Examine the Maine Correctional Institute. The resolve proposed that the Commission examine the reasons and periods for which prisoners have been assigned to the Supermax, conditions for prisoner release from the facility, and the efficiency of the Supermax in rehabilitating inmates.

LD 1330 was carried over to the Second Regular Session of the 120<sup>th</sup> Legislature.

**LD 1343**                      **An Act to Increase the Penalties for Criminal Speeding and Operating After Suspension**                      **ONTP**

<u>Sponsor(s)</u> BAKER LEMONT		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1343 proposed to specify that a person commits manslaughter if the person operated a motor vehicle 20 miles per hour or more above the speed limit and causes the death of another person. This bill also proposed to change the crime of criminal speeding to reduce the threshold to 20 miles per hour or more above the speed limit, instead of the current 30 miles per hour or more above the speed limit.

The bill also proposed to enact a new crime of reckless conduct with a motor vehicle, a Class D crime, if someone causes serious bodily injury to another while operating a motor vehicle at 20 miles per hour or more above the speed limit.