

MAINE STATE LEGISLATURE

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*State Of Maine
122nd Legislature*

*First Regular Session and
First Special Session*

Bill Summaries

*Joint Standing Committee
on
Criminal Justice and Public Safety*

August 2005

Members:

Sen. Bill Diamond, Chair

Sen. John M. Nutting

Sen. Dean F. Clukey

Rep. Patricia A. Blanchette, Chair

Rep. Stan Gerzofsky

Rep. Carol A. Grose

Rep. Rosaire "Ross" Paradis, Jr.

Rep. Stephen P. Hanley

Rep. Richard M. Sykes

Rep. John W. Churchill

Rep. Christian D. Greeley

Rep. Kimberly J. Davis

Rep. Gary E. Plummer

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Maine State Legislature

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122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

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. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included 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
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 June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

Joint Standing Committee on Criminal Justice and Public Safety

LD 500

An Act To Decrease Correctional Costs and To Increase the Number of Probation Officers

ONTP

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

LD 500 proposed to require the Department of Corrections to establish a GPS tracking release program for certain nonviolent prisoners. Eligibility for the program would be limited to prisoners with no history of violent or sexual crimes who have earned good time while in prison, have served more than half of their prison terms, have fewer than 36 months left to serve and agree to be fitted with a GPS tracking device. The bill proposed that a prisoner accepted into the program be fitted with the tracking device for the remainder of the prisoner's prison term plus an additional 2 months. The bill proposed that the department contract with a firm with appropriate expertise, which the department must choose through a competitive bidding process, to create the GPS tracking system.

LD 500 proposed that net savings anticipated by the program be directed as follows: 40% to the General Fund; 40% to hire new probation officers; 10% to fund DNA analysis under the DNA Data Base and Data Bank Act; and 10% to fund computer crime law enforcement officers.

LD 500 also proposed that the commissioner report to the Criminal Justice and Public Safety and Appropriations and Financial Affairs Committees annually by January 15th each year regarding the savings that result from implementation of the program.

Committee Amendment "A" (H-614) was the minority report of the Joint Standing Committee on Criminal Justice. This amendment proposed to add an appropriations and allocations section to the bill. This amendment was not adopted.

LD 502

An Act To Enable Police Departments To Solicit Donations for Colleagues Suffering from Catastrophic Illnesses

ONTP

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

LD 502 proposed to allow a law enforcement agency, law enforcement association or law enforcement officer to solicit funds for a law enforcement officer who is suffering from a catastrophic illness after the law enforcement agency, association or officer obtains the approval of the governing body of the area in which the solicitation will occur and the Attorney General. LD 502 proposed that funds collected be retained in an escrow account maintained solely for the benefit of the ill law enforcement officer or the heirs of that officer if the officer dies.