

# 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*

11. It gives the Department of Public Safety, State Bureau of Identification authority to adopt routine technical rules necessary to implement registration and notification practices.
12. It adds the duty of a registrant to give notification of the registrant's residence in Maine.
13. It specifies that only the State Bureau of Identification may maintain a sex offender registry on the Internet for purposes of public access. Law enforcement agencies may maintain their own sex offender registries for internal use only and may provide a link to the State bureau's Internet sex offender registry.
14. It clarifies the duration of registration for persons who come to Maine and were required to register pursuant to another jurisdiction's sex offender registration statute or who would have been required to register in that other jurisdiction if the person were domiciled there.
15. It allows a 10-year registrant to apply to the State Bureau of Identification for credit for time registered in another jurisdiction. The bureau may grant credit upon a registrant's providing documentation in accordance with rules adopted by the bureau.
16. It clarifies that a domicile verification form mailed by the State Bureau of Identification to the last known address provided by a registrant during the period that the registrant is required to register is deemed received 3 days after mailing unless returned to the bureau by postal authorities.

**LD 1439**

### **An Act To Increase the Penalties for Cemetery Damage**

**ONTP**

<u>Sponsor(s)</u> THOMPSON		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1439 proposed to require that, in addition to any other authorized sentencing alternatives, a court shall impose mandatory restitution for adult or juvenile offenders who are convicted or adjudicated of causing damage to a cemetery.

**LD 1447**

### **An Act To Increase Civil and Criminal Penalties for Animal Cruelty**

**ONTP**

<u>Sponsor(s)</u> THOMPSON		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1447 proposed to increase the civil fines for cruelty to animals from \$500 to \$2,500 for a first offense to \$1,000 to \$5,000 and from \$1,000 to \$5,000 for a 2nd offense to \$2,000 to \$5,000. This bill proposed to establish fines for a 3rd or subsequent offense at \$5,000 to \$10,000. This bill proposed to increase the criminal fines for cruelty to animals from \$250 for any offense to \$1,000 to \$5,000 for a first offense, \$2,000 to \$5,000 for a 2nd offense and \$5,000 to \$10,000 for a 3rd or subsequent offense. The bill proposed that none of these fines may be suspended. This bill also proposed to require veterinarians to report cases in which they have a reasonable suspicion that animal cruelty has been committed.