

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON CRIMINAL JUSTICE
AND PUBLIC SAFETY**

July 2007

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STATE OF MAINE

123RD LEGISLATURE

FIRST REGULAR SESSION

LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS



This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature, which was in session from December 6, 2006 to June 21, 2007.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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:

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 (or Accepted ONTP report).....	Ought Not To Pass report accepted
OTP-ND.....	Committee report Ought To Pass In New Draft
P&S XXX.....	Chapter # of enacted Private & Special Law
PASSED.....	Joint Order passed in both bodies
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 that the effective date for non-emergency legislation enacted in the First Regular Session is **September 20, 2007**. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

Joint Standing Committee on Criminal Justice and Public Safety

LD 192

Resolve, Directing the Department of Public Safety To Make a Map Available on the Sex Offender Registry

ONTP

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

This resolve directs the Department of Public Safety, Bureau of State Police, State Bureau of Identification to make available on the publicly accessible sex offender registry online search service a map that displays where sex offenders reside in order for a member of the public to determine the proximity of a sex offender's residence to the member of the public's residence.

LD 193

An Act To Restrict Access to Certain Websites by Sex Offenders

ONTP

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

This bill makes ongoing General Fund appropriations of \$100,000 per year for the Department of Public Safety, Maine State Police Crime Laboratory, Computer Crimes Unit. The bill also creates a new crime that prohibits a person who is required to register under the Sex Offender Registration and Notification Act from accessing websites that are likely to be frequented by minors.

LD 195

An Act To Promote the Safety of Children

ONTP

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

This bill requires that a local law enforcement agency notify a licensed child care facility within a municipality that a sex offender who is conditionally released or discharged may be domiciled, reside, work or go to college or school in that municipality.

LD 219

An Act To Use Forfeited Bail Money for the Victims of an Offender

PUBLIC 31

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HANLEY S MCCORMICK	OTP-AM	H-19

Each prosecutorial district has an Extradition Account in an amount not to exceed \$20,000 that is used solely for the purpose of paying the expenses of extraditing persons charged with or convicted of a crime in this State and who are fugitives from justice. The Extradition Account in each prosecutorial district is funded by bail forfeited to and recovered by the State pursuant to the Maine Rules of Criminal Procedure, Rule 46. Whenever bail is forfeited and recovered by the State, the district attorney shall determine whether it or a portion of it is deposited in the Extradition Account for that district attorney's prosecutorial district. Any bail forfeited and recovered and not deposited in the Extradition Account must be deposited in the General Fund. Any unexpended balance in the Extradition Account of a prosecutorial district established by this section may not lapse but must be carried forward