

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
116TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
LEGAL AFFAIRS

JULY 1993

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**ONE HUNDRED AND SIXTEENTH LEGISLATURE  
FIRST REGULAR SESSION**

**JOINT STANDING COMMITTEE  
BILL SUMMARIES**

**JULY 1993**

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. All adopted amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>P&amp;S XXX</i>	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of enacted Resolve</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>CARRIED OVER</i>	<i>Bill carried over to Second Session</i>
<i>ONTP</i>	<i>Ought Not to Pass report accepted</i>
<i>ENACTMENT FAILED</i>	<i>Bill failed to get majority vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>FAILED EMERGENCY ENACTMENT</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>DIED BETWEEN BODIES</i>	<i>House &amp; Senate disagree; bill died</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference formed but unable to agree</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>
<i>UNSIGNED</i>	<i>Not signed by Governor within 10 days</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin.

If you have any suggestions or comments on these summaries, please let us know.

4693NRG

3. The bill would eliminate the requirement that the Chief of the State Police approve the core curriculum training requirements established by the board of trustees.
4. The bill would specify that the employment probationary period of a law enforcement officer may not begin until that officer successfully completes the academy program.
5. The bill would require the academy to adopt the community policing model in its training program.
6. The bill would require that all in-service training be certified by the board.
7. The bill would permit the board to suspend or revoke the certificate of any person who has used deadly force that results in a death.

**LD 1175     An Act to Ensure Fairness in the Use of Radar by  
Law Enforcement Officers**

ONTP

**SPONSOR(S)**  
BENNETT

**COMMITTEE REPORT**  
ONTP

**AMENDMENTS ADOPTED**

**SUMMARY**

This bill would have required that, if a law enforcement officer detected through radar that a motorist was exceeding the speed limit, the law enforcement officer must lock the recorded speed into the device and give the motorist the opportunity to view the recorded speed.

**LD 1183     An Act Establishing Weapons License Reciprocity**

INDEF PP

**SPONSOR(S)**  
HALL

**COMMITTEE REPORT**  
OTP-AM     MAJ  
ONTP         MIN

**AMENDMENTS ADOPTED**  
S-209

**SUMMARY**

This bill would have established reciprocity for firearms licenses and permits.

Committee Amendment "A" (S-209) would have replaced the original bill and would have made the following changes:

1. Modified current law by allowing a full-time law enforcement officer to carry a concealed firearm outside the officer's jurisdiction without the written permission of the officer's employer. This change would have applied to full-time law enforcement officers of this State, another state or the United States, subject to limitations actually imposed by the officers' employers.
2. Retained the requirement of written permission to carry a concealed firearm outside the officer's jurisdiction from an officer's employer if the officer is a part-time law enforcement officer; precluded part-time law enforcement officers from other jurisdictions from carrying a concealed firearm without having a valid Maine permit.
3. Defined "full-time law enforcement officer."
4. Allowed a person who had been issued a valid permit by a New England state to carry a concealed firearm in the State of Maine without having obtained a Maine permit if that New England state

extended the same courtesy to Maine permit holders, utilized statutory requirements for the issuance of its own permits to carry concealed firearms that are at least as stringent as those Maine uses and ensured that an adequate investigation process was in place and being utilized by the issuing agency.

5. Added a fiscal note to the bill.

**LD 1198      An Act to Amend the Laws Governing Elections and Nominations by Political Parties      CARRIED OVER**

**SPONSOR(S)**                      **COMMITTEE REPORT**                      **AMENDMENTS ADOPTED**  
ROWE

**SUMMARY**

This bill would allow for multiparty endorsement and nomination of candidates.

**LD 1201      An Act to Treat Minors Equitably under the Operating-under-the-influence Laws      ONTP**

**SPONSOR(S)**                      **COMMITTEE REPORT**                      **AMENDMENTS ADOPTED**  
CARR                                      ONTP

**SUMMARY**

Under current law, the Secretary of State shall suspend the driver's license of a person that has not attained 21 years of age if that person has operated or attempted to operate a motor vehicle while having a blood-alcohol level of 0.02% or more. This bill would have repealed that law and eliminated the lower blood-alcohol level test applicable to minors. Under this bill, minors would have been subject to the same 0.08% blood-alcohol level test as adults.

**LD 1202      An Act Concerning the Tallying and Challenging of Absentee Votes      ONTP**

**SPONSOR(S)**                      **COMMITTEE REPORT**                      **AMENDMENTS ADOPTED**  
LIPMAN                                      ONTP

**SUMMARY**

This bill would have allowed a candidate or the candidate's representative to review absentee ballots after 2:00 p.m. on election day. It also would have given the candidate or the candidate's representative one hour after the polls close to inspect absentee ballots. The bill also would have required regular ballots to be counted before absentee ballots are counted and would have directed the wardens to deposit the absentee ballots after the close of the polls, instead of before.

**LD 1203      An Act to Regulate the Use of Aircraft for Surveillance Purposes by Law Enforcement Agencies      DIED BETWEEN BODIES**

**SPONSOR(S)**                      **COMMITTEE REPORT**                      **AMENDMENTS ADOPTED**  
TOWNSEND G                      ONTP                      MAJ  
    OTP-AM                      MIN

**SUMMARY**

This bill sought to minimize the potential invasiveness of aircraft surveillance by providing that only