

MAINE STATE LEGISLATURE

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STATE OF MAINE
116TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
LEGAL AFFAIRS

MAY 1994

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Sen. James R. Handy
Sen. Stephen E. Hall*

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

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

MAY 1994

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, 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:

PUBLIC XXX

P&S XXX

RESOLVE XXX

CON RES XXX

EMERGENCY

ONTP

INDEF PP

FAILED ENACTMENT

FAILED EMERGENCY ENACTMENT

FAILED MANDATE ENACTMENT

DIED BETWEEN BODIES

CONF CMTE UNABLE TO AGREE

VETO SUSTAINED

UNSIGNED

DIED ON ADJOURNMENT

Chapter # of enacted Public Law

Chapter # of enacted Private & Special Law

Chapter # of enacted Resolve

Chapter # of Constitutional Resolution passed by both Houses

Enacted law takes effect sooner than 90 days

Ought Not to Pass report accepted

Bill Indefinitely Postponed

Bill failed to get majority vote

Emergency bill failed to get 2/3 vote

Bill imposing local mandate failed to get 2/3 vote

House & Senate disagree; bill died

Committee of Conference unable to agree; bill died

Legislature failed to override Governor's Veto

Not signed by Governor within 10 days

Action incomplete when session ended; bill died

These summaries were prepared by the analyst or analysts assigned to the committee. If you have any suggestions or comments on the summaries, please let us know.

5581LHS

The amendment also adds a fiscal note.

HOUSE AMENDMENT "A" (H-1031) TO COMMITTEE AMENDMENT "A" would have replaced Committee Amendment "A". This amendment would have made changes to the laws governing the training and certification of law enforcement officers that are similar to the changes in House Amendment "B", except that House Amendment "B" specifies that the standards that apply to all candidates for admission to the academy must meet or exceed any academic and physical admission standards, including standards of the State Police, in effect prior to January 1, 1996.

The amendment also would have replaced the allocation and fiscal note in the amendment.

SENATE AMENDMENT "A" (S-572) TO COMMITTEE AMENDMENT "A" would have authorized the Board of Trustees of the Maine Criminal Justice Academy to offer to municipal chief law enforcement officers training course relating to background investigations of individuals seeking concealed firearm permits and would have further required that those chief law enforcement officers bear the responsibility for conducting those investigations. If there were no chief law enforcement in a municipality, the Chief of the State Police would have had to conduct the investigation.

SENATE AMENDMENT "B" (S-581) TO COMMITTEE AMENDMENT "A" would have replaced the committee amendment. The amendment would have incorporated House Amendment "A" to Committee Amendment "A", except that, additionally, this amendment would have authorized the Board of Trustees of the Maine Criminal Justice Academy to offer to municipal chief law enforcement officers training courses relating to background investigations of individuals seeking concealed firearm permits and would have further required that those chief law enforcement bear the responsibility for conducting those investigations. If there were no chief law enforcement officer in a municipality, the Chief of the State Police would have had to conduct the investigation.

SENATE AMENDMENT "C" (S-591) TO COMMITTEE AMENDMENT "A" would have replaced the committee amendment. This amendment would have incorporated House Amendment "B" to Committee Amendment "A" except that, additionally, this amendment would have required that the chief law enforcement officer in a municipality must have the responsibility for conducting background investigations of individuals seeking concealed firearm permits. If there were no chief law enforcement officer in a municipality, the Chief of the State Police or the sheriff in that county would have had to conduct the investigation.

LD 1198 An Act to Amend the Laws Governing Elections and Nominations by Political Parties ONTP

SPONSOR(S) COMMITTEE REPORT AMENDMENTS ADOPTED
ROWE ONTP

SUMMARY

This bill would have allowed for multiparty endorsement and nomination of candidates. This bill was carried over from the First Regular Session.

LD 1251 Resolve, Authorizing Stephanie Burton to Sue the Town of Freeport ONTP

SPONSOR(S) COMMITTEE REPORT AMENDMENTS ADOPTED
MITCHELL J ONTP

SUMMARY

This resolve would have authorized Stephanie Burton to sue the Town of Freeport for damages resulting from an injury allegedly sustained in a motor vehicle accident that involved a vehicle driven by an employee of the town. This resolve was carried over from the First Regular Session.

LD 1295 An Act to Amend the Laws Pertaining to the Protestant Episcopal Church

P & S 70

SPONSOR(S)
CATHCART

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-776

SUMMARY

This bill amends the enabling laws for the organization of the Protestant Episcopal Church in this State by making those provisions gender neutral and making other technical changes to the laws. This bill was carried over from the First Regular Session.

COMMITTEE AMENDMENT "A" (H-776) replaces the original bill. The amendment amends the enabling laws for the organization of the Protestant Episcopal Church in this State by making those provisions gender neutral and by making other technical changes to the laws.

The amendment also removes the dollar limitation for the amount allowed in the diocesan funds in the diocese of Maine. All other state law protections remain the same.

LD 1310 An Act to Promote Professionalism in the Law Enforcement Community

ONTP

SPONSOR(S)
KETTERER
HARRIMAN

COMMITTEE REPORT
ONTP

AMENDMENTS ADOPTED

SUMMARY

This bill would have made the following changes related to the Maine Criminal Justice Academy and the training of law enforcement officers.

1. The bill would have increased the membership of the Board of Trustees of the Maine Criminal Justice Academy to include 3 additional citizen members.
2. The bill would have required the board to adopt policies regarding procedures for using deadly force and dealing with barricaded persons, persons with variant social capabilities, domestic violence, bias crimes, fleeing felons, high-speed chases and citizens' complaints.
3. The bill would have required the board to set uniform admission and certification standards.
4. The bill would have required, subject to available funding, a minimum of 20 hours of in-service training annually for law enforcement officers.
5. The bill would have required that all law enforcement officers other than those employed on the effective date of this bill be 21 years of age or older and requires that by January 1, 2000, an applicant for a law enforcement position must have an associate degree or the equivalent.
6. The bill would have established a complaint review committee to review certain complaints and make recommendations to the board.