

MAINE STATE LEGISLATURE

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*State Of Maine
121st Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Criminal Justice and Public Safety*

July 2003

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Maine State Legislature



Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

121st Maine Legislature First Regular Session

Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint 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 arranged alphabetically by committee name 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. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located 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:

<i>CARRIED OVER PURSUANT TO HP 1212</i>	<i>Bills carried over to the 2nd Regular Session</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP-ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PASSED</i>	<i>Joint Order passed in both bodies</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

Please note that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

David C. Elliott, Director
Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Criminal Justice and Public Safety

LD 1005 **An Act To Increase the Class of Crime of Unlawful Sexual Contact** **ONTP**

<u>Sponsor(s)</u> LEMONT		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1005 proposed to make all forms of unlawful sexual contact a Class B crime.

LD 1014 **An Act To Enhance Professionalism of Private Investigators in this State** **DIED ON ADJOURNMENT**

<u>Sponsor(s)</u> BUNKER CARPENTER		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-249
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LD 1014 proposed to make several changes to the current licensing requirements for private investigators. The bill proposed to allow, under certain circumstances, a private investigator licensed in a state or territory that has a reciprocal agreement with Maine to conduct an investigation in Maine without a Maine private investigator's license. The bill also proposed to require a private investigative assistant to complete 1,700 hours of employment, under the supervision of a licensed private investigator and within 18 months of receiving an investigative assistant license, to be eligible for a private investigator's license. Additionally, the bill proposed to require that a licensed private investigator complete 40 hours of continuing professional education within each 2-year license renewal period, and clarify that use of a badge to suggest that a private investigator is a sworn peace officer of the State is unlawful.

Committee Amendment "A" (H-249) proposed to replace the bill. The amendment proposed to do the following:

1. Change the time when a private investigator's license may be renewed after initial licensure from every 2 to every 4 years and double the renewal fee to \$400;
2. Change the term of an investigative assistant's license from one year with a possibility of a 6-month extension to 2 years and double the fee to \$600;
3. Clarify that presentation of a badge by a private investigator or an investigative assistant to cause another person to believe that the private investigator or investigative assistant is a sworn peace officer is a Class D crime; and
4. Clarify that a private investigator or investigative assistant who contracts with a state law enforcement agency is bound by that agency's confidentiality obligations.