

# 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](http://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 2<sup>nd</sup> 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 &amp; 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&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; 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**  
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*Joint Standing Committee on Criminal Justice and Public Safety*

**LD 1526**

**Resolve, Regarding Legislative Review of Chapter 15: Batterer Intervention Program Certification, a Major Substantive Rule of the Department of Corrections**

**RESOLVE 26  
EMERGENCY**

Sponsor(s)

Committee Report  
OTP

Amendments Adopted

LD 1526 proposed to provide for legislative review of Chapter 15: Batterer Intervention Program Certification, a major substantive rule of the Department of Corrections.

***Enacted Law Summary***

Resolve 2003, chapter 26 provides for legislative review of Chapter 15: Batterer Intervention Program Certification, a major substantive rule of the Department of Corrections. The Joint Standing Committee on Criminal Justice and Public Safety authorized final adoption of the rule without amendment.

Resolve 2003, chapter 26 was passed as an emergency measure effective May 16, 2003.

**LD 1546**

**An Act To Amend Certain Provisions Relating to a Permit To Carry Concealed Firearms To Be Consistent with Changes to the Statute Relating to Possession of Firearms by Prohibited Persons**

**PUBLIC 341**

Sponsor(s)  
CARR

Committee Report  
OTP

Amendments Adopted

LD 1546 proposed to amend the requirements for the issuance of a permit to carry concealed firearms by the issuing authority to incorporate into the requirements the recent changes made to the Maine Revised Statutes, Title 15, section 393 relating to possession of firearms by prohibited persons pursuant to Public Law 2001, chapter 549. Additionally, this bill proposed to add a permit to carry firearms provision in Title 25, section 2002 definitions for "conviction," "not criminally responsible by reason of mental disease or defect," "State," "state" and "use of dangerous weapon." Each definition is contained in Title 15, section 393.

***Enacted Law Summary***

Public Law 2003, chapter 341 amends the requirements for the issuance of a permit to carry concealed firearms by the issuing authority to incorporate into the requirements the recent changes made to the Title 15, section 393 relating to possession of firearms by prohibited persons pursuant to Public Law 2001, chapter 549. Public Law 2003, chapter 341 also adds a permit to carry firearms provision in Title 25, section 2002 definitions for "conviction," "not criminally responsible by reason of mental disease or defect," "State," "state" and "use of dangerous weapon." Each definition is contained in Title 15, section 393.