

# 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

**Staff:**  
*Marion Hylan Barr, Legislative Analyst*

*Office of Policy and Legal Analysis  
Room 101, State House Station 13  
Augusta, ME 04333  
(207)287-1670*

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DARLENE A. SHORES LYNCH, RESEARCHER  
CARRIE C. McFADDEN, RESEARCHER

STATE OF MAINE  
OFFICE OF POLICY AND LEGAL ANALYSIS  
ROOM 101/107/135  
STATE HOUSE STATION 13  
AUGUSTA, MAINE 04333  
TEL: (207) 287-1670  
FAX (207) 287-1275

**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

**LD 1101 An Act to Encourage Participation in Primary Elections**

PUBLIC 330

**SPONSOR(S)**  
MICHAEL**COMMITTEE REPORT**  
OTP-AM**AMENDMENTS ADOPTED**  
H-429**SUMMARY**

Under current law, a voter may not vote at a caucus, convention or primary election for 3 months after filing an application to change party enrollment. This bill changes the period of ineligibility to 3 weeks, allowing voters to change their party enrollment 3 weeks before the primary, caucus or convention. This bill does not change existing law prohibiting a person from filing a petition as a candidate for nomination by primary election within 3 months after filing an application to change enrollment in a party.

Committee Amendment "A" (H-429) changes the time period for ineligibility to vote in a caucus or primary after changing party designation from 3 weeks to 15 days.

**LD 1103 An Act to Amend the Landfill Laws**

ONTP

**SPONSOR(S)**  
GREENLAW**COMMITTEE REPORT**  
ONTP**AMENDMENTS ADOPTED****SUMMARY**

The bill would have prevented damage to landfill cover mounds by vehicular and pedestrian traffic, which could result in danger to the public health and welfare as well as require expensive repair work. This bill would have prohibited trespass on landfill cover mounds by any unauthorized persons.

**LD 1104 An Act to Ensure the Voting Rights of Homeless People**

ONTP

**SPONSOR(S)**  
GEAN**COMMITTEE REPORT**  
ONTP**AMENDMENTS ADOPTED****SUMMARY**

The bill would have ensured the voting rights of homeless individuals in this State by assisting the homeless in registering to vote and by providing a right of judicial review for refused registrations.

**LD 1114 An Act to Amend the Laws Governing the Training and Certification of Law Enforcement Officers**

CARRIED OVER

**SPONSOR(S)**  
KONTOS**COMMITTEE REPORT****AMENDMENTS ADOPTED****SUMMARY**

This bill would make the following changes to the laws governing the training and certification of law enforcement officers.

1. The bill would specify that the balance remaining in the Government Operations Surcharge Fund must be transferred monthly to a dedicated account within the budget of the Maine Criminal Justice Academy for local, county and state law enforcement officer training.
2. The bill would increase from 15 to 17 the number of members of the board of trustees of the Maine Criminal Justice Academy.

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