

# 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.

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unorganized territories as the sheriff of the county of residence, unless the Chief of the State Police has been designated as the issuing authority. It also permits even those municipalities that do have a chief of police to "opt out," by simple majority vote of the municipal officers and appropriate notice of the obligation to process permit applications for residents of the nearest unorganized territories. Unlike the "opt out" from all permit issuing functions authorized by the Maine Revised Statutes, Title 25, section 2002-A, which requires a concurrence of the Chief of the State Police, the chief's concurrence is not required for a local exercise of the power to "opt out" of the obligation to process permit applications for unorganized territory residents. Finally, the bill provides for a means of distribution of information by the sheriff's office to all police departments within each county regarding who has concealed weapons permits.

Committee Amendment "A" (H-402) replaces all of the original bill except that part dealing with the unorganized territories. The amendment clarifies that the State Police are the issuing authority of concealed weapons permits to residents of the unorganized territories.

House Amendment "A" to Committee Amendment "A" (H-479) clarifies that the State Police issues permits for the unorganized territory.

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

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

**SUMMARY**

This bill would amend 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.

**LD 1299      An Act Concerning Payment of Legal Fees in Eviction Cases      ONTP**

**SPONSOR(S)**                      **COMMITTEE REPORT**                      **AMENDMENTS ADOPTED**  
 LIBBY J L                              ONTP

**SUMMARY**

This bill would have allowed recovery of the costs, expenses and attorney's fees incurred on a landlord's behalf in connection with the prosecution of a legal eviction action.

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

**SPONSOR(S)**                      **COMMITTEE REPORT**                      **AMENDMENTS ADOPTED**  
 KETTERER  
 HARRIMAN

**SUMMARY**

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

1. The bill would increase the membership of the Board of Trustees of the Maine Criminal Justice Academy to include 3 additional citizen members.

2. The bill would require 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 require the board to set uniform admission and certification standards.
4. The bill would require, subject to available funding, a minimum of 20 hours of in-service training annually for law enforcement officers.
5. The bill would require that all law enforcement officers other than those employed on the effective date of this bill be 21 years of age or older and would require that by January 1, 2000, an applicant for a law enforcement position must have an associate degree or the equivalent.
6. The bill would establish a complaint review committee to review certain complaints and make recommendations to the board.
7. The bill would provide that a law enforcement officer's probationary period begins after completion of academy training.

**LD 1316      An Act to Amend the Law Concerning Habitual Offenders      ONTP**  
**under the Motor Vehicle Laws**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
WENTWORTH	ONTP	

**SUMMARY**

This bill would have expanded the authority of the Secretary of State to issue a work-restricted license to a person whose license had been revoked under any of the habitual offender laws.

**LD 1323      Resolve, Authorizing Richard Paradise of Wells, Maine to      ONTP**  
**Sue the State**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
LAWRENCE	ONTP	

**SUMMARY**

This resolve would have authorized Richard Paradise, of Wells, to sue the State for damages resulting from the State's failure to prosecute a drunk driver whose vehicle allegedly struck a vehicle operated by Mr. Paradise.

**LD 1324      An Act to Create Statewide Arrest Powers for Municipal Law      CARRIED OVER**  
**Enforcement Officers**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
LAWRENCE		

**SUMMARY**

This bill would provide municipal police officers with statewide arrest powers under certain circumstances.