

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
119TH LEGISLATURE**

**SECOND REGULAR SESSION**

**BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
CRIMINAL JUSTICE**

**JULY 2000**

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**ONE HUNDRED NINETEENTH LEGISLATURE**  
**SECOND REGULAR SESSION**

**Summary Of Legislation Before The Joint Standing Committees**  
**July 2000**

We are pleased to provide this summary of bills that were considered by the Joint Standing and 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 and select committees.

The document is organized for convenient reference to information on bills considered by the committees. It is organized by committees 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>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>OTP ND/NT</i> .....	<i>Committee report Ought To Pass In New Draft/New Title</i>
<i>P&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; Special Law</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 the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is August 11, 2000.

*David E. Boulter, Director*  
 Offices Located in the State House, Rooms 101 & 107

The amendment also proposed to add a fiscal note.

**Senate Amendment "A" to Committee Amendment "A" (S-743)** proposed to replace Committee Amendment "A" (H-851). The amendment proposed to change the bill to a resolve and incorporate the treatment program requirements in Committee Amendment "A" (H-851) and require that the Department of Corrections and the Department of Mental Health, Mental Retardation and Substance Abuse Services submit a proposal that includes annual reports to the joint standing committee of the Legislature having jurisdiction over juvenile justice matters. The amendment also proposed to remove direct references to funding in the fiscal note.

***Enacted law summary***

Resolve 1999, chapter 123 directs the Department of Corrections and the Department of Mental Health, Mental Retardation and Substance Abuse Services, Office of Substance Abuse to continue to develop a comprehensive substance abuse treatment program for juveniles. The program must include uniform clinical assessment and treatment for all juveniles committed to a juvenile correctional facility, 4 regional treatment networks, a targeted expansion program and 5 juvenile drug treatment courts. The program also must facilitate participation of the juvenile and the juvenile's family, provide a system to monitor treatment progress and a follow-through mechanism to ensure treatment completion.

Resolve 1999, chapter 123 requires the Department of Corrections and the Department of Mental Health, Mental Retardation and Substance Abuse Services, Office of Substance Abuse to prepare and present a proposal to implement and fund a comprehensive substance abuse treatment program for juveniles to the joint standing committee having jurisdiction over juvenile justice matters by December 6, 2000. The proposal must include a plan to make annual reports to the joint standing committee having jurisdiction over juvenile justice matters regarding the progress of juvenile substance abuse treatment programs.

Resolve 1999, chapter 123 was finally passed as an emergency measure effective May 8, 2000.

**LD 637**

**An Act to Amend the Law Enforcement Officer Certification Standards**

**PUBLIC 630**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MURRAY MCALEVEY	OTP-AM	S-578

LD 637 proposed to delete references to training standards for part-time and full-time law enforcement officers approved by the Board of Trustees of the Maine Criminal Justice Academy. This bill proposed to require levels of certification to be based on the officer's demonstration of having acquired specific knowledge and skills directly related to job performance rather than full-time or part-time employment.

The bill proposed to implement in statute the proposed training and certification requirements in LD 2628, Resolve, Regarding Legislative Review of Certification of Law Enforcement Officers, a Major Substantive Rule of the Maine Criminal Justice Academy.

**Committee Amendment "A" (S-578)** proposed to replace the bill. The amendment proposed to repeal the provision that required the Board of Trustees of the Maine Criminal Justice Academy to adopt major substantive rules identifying the permissible duties of part-time law enforcement officers. In LD 2628, Resolve, Regarding Legislative Review of Chapter 6: Certification of Law Enforcement Officers, a Major Substantive Rule of the Maine Criminal Justice Academy, the board conditionally adopted a rule regarding part-time law enforcement officers, but the Joint Standing Committee on Criminal Justice did not authorize adoption of the rule.

*Enacted law summary*

Public Law 1999, chapter 630 repeals the provision that required the Board of Trustees of the Maine Criminal Justice Academy to adopt major substantive rules identifying the permissible duties of part-time law enforcement officers. In LD 2628, Resolve, Regarding Legislative Review of Chapter 6: Certification of Law Enforcement Officers, a Major Substantive Rule of the Maine Criminal Justice Academy, the board conditionally adopted a rule regarding part-time law enforcement officers, but the Joint Standing Committee on Criminal Justice did not authorize adoption of the rule. See Resolve 1999, chapter 103.

**LD 678**

**An Act to Require Completion of an Ambulance Operator Course**

**PUBLIC 764**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BULL KONTOS	OTP-AM	H-1173 TOWNSEND H-888

LD 678 proposed to require a person who routinely operates an ambulance to complete an ambulance operator course beginning January 1, 2002.

**Committee Amendment "A" (H-888)** proposed to replace the bill. The amendment proposed to require that by January 1, 2003, all persons whose job description includes operating an ambulance in an emergency mode or transporting a patient must possess certification of successful completion of a basic ambulance vehicle operator course or a course that has been approved by the Emergency Medical Services' Board as an equivalent. The amendment proposed that a person whose job description includes operating an ambulance in an emergency mode or transporting a patient who successfully completes a basic ambulance vehicle operator course may apply to the Emergency Medical Services' Board for reimbursement for the cost of the course.

The amendment also proposed to add an appropriation section and a fiscal note.

**House Amendment "A" to Committee Amendment "A" (H-1173)** proposed to direct the Department of Public Safety, Maine Emergency Medical Services to set up a pilot project to develop a plan for implementation of the ambulance operator training requirements and report to the joint standing committee of the Legislature having jurisdiction over public safety matters by January 1, 2001. The amendment proposed that the committee may introduce legislation following receipt of the study. The amendment also proposed to replace the appropriation with a one-time appropriation of funds for a consultant for the pilot project.