

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).

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:

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

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

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.

Senate Amendment "A" to Committee Amendment "A" (S-744) proposed to implement the same provisions as House Amendment "A" to Committee Amendment "A" (H-1173). This amendment was not adopted.

Enacted law summary

Public Law 1999, chapter 764 requires 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. Public Law 1999, chapter 764 specifies 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 Services' Board for reimbursement for the cost of the course.

Public Law 1999, chapter 764 directs 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 committee may introduce legislation following receipt of the report. Public Law 1999, chapter 764 creates a one-time appropriation of funds for a consultant for the pilot project.

LD 903

An Act to Amend the Concealed Weapons Permit Laws

ONTP

| | | | | |
|--------------------------------|--|---------------------------------|--|---------------------------|
| <u>Sponsor(s)</u> WHEELER E | | <u>Committee Report</u> ONTP | | <u>Amendments Adopted</u> |
|--------------------------------|--|---------------------------------|--|---------------------------|

LD 903 proposed to make the following changes to the chapter regarding permits to carry concealed firearms:

1. Specify that the only issuing authorities for permits are a full-time chief of police for legal residents of a municipality and the Chief of the State Police for all others;
2. Clarify that an issuing authority verify information about an applicant and ensure all criteria are satisfied before issuing a permit to an applicant;
3. Require an applicant for a permit to be at least 21 years of age;
4. Require an applicant for a permit to be photographed and for any permit issued to include that photograph;
5. Require an applicant for a permit to submit to a criminal history record check;
6. Repeal the provisions regarding permit renewals;
7. Increase the permit fee to \$45 for legal residents and private investigators licensed in the State and \$75 for nonresidents;