

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
119TH LEGISLATURE**

**FIRST REGULAR SESSION**

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

**JULY 1999**

**MEMBERS:**

*Sen. Robert E. Murray, Jr., Chair  
Sen. William B. O'Gara  
Sen. Paul T. Davis*

*Rep. Edward J. Povich, Chair  
Rep. Roger D. Frechette  
Rep. Christopher T. Muse  
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Rep. Michael W. Quint  
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Rep. Judith B. Peavey  
Rep. Julie Ann O'Brien  
Rep. James H. Tobin, Jr.  
Rep. Roger L. Sherman*

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**ONE HUNDRED NINETEENTH LEGISLATURE**  
**FIRST REGULAR SESSION**

**Summary Of Legislation Before The Joint Standing and Select Committees**  
**August 1999**

We are pleased to provide this summary of all 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:

*CARRIED OVER*.....Bill carried over to Second Regular Session  
*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  
*ENACTMENT FAILED*..... Bill failed to get vote required for enactment or final passage  
*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 First Regular Session (unless otherwise specified in a particular law) is September 18, 1999.

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

LD 903 proposes 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 and increases the permit fee to \$45 for legal residents and private investigators licensed in the State and \$75 for nonresidents;
7. Clarify that the Attorney General shall develop all forms for the Chief of the State Police and forms for police chiefs that are necessary for the permitting process and that those issuing authorities shall provide and use only those forms;
8. Lengthen the term of a permit from 4 years to 5 years; and
9. Clarify that a person may not carry a concealed firearm without having the permit in that permit holder's immediate possession and that the permit holder may not fail to display the permit holder's permit to a law enforcement officer upon that officer's demand. A person who violates these provisions commits a civil violation.

This bill has been carried over to the Second Regular Session.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TOBIN J DAVIS P	ONTP	

LD 936 proposed to amend the Maine Bail Code as follows:

1. Amend the definitions of the terms "bail" and "ensure the integrity of the judicial process;"
2. Change the standards for release of a defendant in custody for a crime bailable as of right preconviction;
3. Provide that a judicial officer may not order the pretrial release of a defendant on personal recognizance or upon execution of an unsecured appearance bond on new criminal conduct if the defendant has pending criminal charges;