

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:

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Sen. Paul T. Davis*

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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).

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.

Note: LD 2252, An Act to Make Additional Corrections of Errors and Inconsistencies in the Laws of Maine, Public Law 1999, chapter 510 corrects PL 1999, chapter 110 by clarifying that Part B is effective September 1, 2000. Part A is effective 90 days after the Legislature adjourns.

LD 1421

An Act to Amend the Definition of Firearms to Include Paint Guns

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NASS	ONTP	

LD 1421 proposed to add paint gun to the definition of a firearm.

LD 1428

Resolve, to Create the Commission to Study the Enhancement of Fire Protection Services throughout the State

**RESOLVE 65
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCALEVEY O'GARA	OTP-AM	H-557 S-447 MICHAUD

LD 1428 proposed to direct the Department of Public Safety, the Maine State Retirement System, the Maine Fire Training and Education Program within the Maine Technical College System and the State Employee Health Commission within the Bureau of Human Resources to take several steps to enhance fire protection services throughout the State. The resolve also proposed to direct those entities to report their progress regarding the creation and implementation of fire safety enhancements and submit any necessary legislation to the Joint Standing Committee on Criminal Justice by January 15, 2000.

Committee Amendment "A" (H-557) proposed to retitle and replace the resolve. The amendment proposed to create the Commission to Study the Enhancement of Fire Protection Services throughout the State. It also proposed to add an emergency preamble and emergency clause, an appropriation section and a fiscal note to the resolve.

House Amendment "A" to Committee Amendment "A" (H-586) was presented on behalf of the Committee on Bills in the Second Reading and proposed to change the date by which the commission must make its report to January 14, 2000.

Senate Amendment "A" to Committee Amendment "A" (S-447) proposed to change the reporting date from January 14, 2000 to December 1, 1999. The amendment also proposed to clarify that, following receipt of the commission's report, the Joint Standing Committee on Criminal Justice may report out a bill to the Second Regular Session of the 119th Legislature.

Enacted law summary

Resolve 1999, chapter 65 creates the Commission to Study the Enhancement of Fire Protection Services throughout the State. The commission's members include: the President of the Maine Fire Chiefs Association, the President of the Professional Firefighters of Maine, the President of the Maine State Federation of Firefighters and 3 members of the Joint Standing Committee on Criminal Justice. The commission is required to report its recommendations to the Joint Standing Committee on Criminal Justice by January 14, 2000.

LD 1433 **An Act to Repeal the Requirement That a Person Have a Permit to Carry a Concealed Weapon** **ONTP**

<u>Sponsor(s)</u> TRACY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1433 proposed to repeal the current requirement that a person obtain a permit prior to carrying a concealed weapon. The bill proposed to require that a person who wants to carry a concealed firearm must complete a handgun safety course and must carry proof of the successful completion of that course. As proposed, failure to obtain and carry such proof while carrying a concealed firearm is a Class D crime. As proposed, a person who had a concealed weapon permit may apply to the Commissioner of Public Safety for a waiver of the safety course requirement.

LD 1443 **An Act to Set Aside a Portion of Juvenile Justice Block Grant Money for Quality Child and After-school Care Programs** **ONTP**

<u>Sponsor(s)</u> LONGLEY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1443 proposed to require the Juvenile Justice Advisory Group to set aside 10% of funds for quality child and after-school care programs.

LD 1473 **An Act to Amend the Maine Emergency Medical Services Act of 1982** **PUBLIC 182**

<u>Sponsor(s)</u> MCALEVEY CAREY		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-301
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LD 1473 proposed to amend the laws regarding emergency medical services in the following ways:

1. Make the position of Director of Maine Emergency Medical Services a major policy-influencing position and delete language that requires the Governor to set the director's salary;
2. Amend the definitions of "ambulance attendant," "basic emergency medical technician" and "protocol," and create new definitions for "first responder" and "Medical Direction and Practices Board;"
3. Allow the Medical Direction and Practices Board to define protocols for the emergency medical services system;
4. Make minor technical changes in the language regarding the minimum requirements for initial licensing of emergency medical services persons;
5. Allow flight nurses to care for patients being transported by ambulance from the scene of an emergency;