

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. William B. O'Gara
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.

Resolve 1999, chapter 65 was enacted as an emergency measure effective June 10, 1999.

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;

6. Allow the Emergency Medical Services' Board to hold rule-making hearings regionally using current technology such as video conferencing and make clear that the board may adopt rules establishing the requirements for certification, recertification and decertification of persons engaged in emergency medical services education and training;
7. Provide for the certification and decertification of emergency medical services persons on a statewide rather than a regional basis; and
8. Expand the responsibilities of the Emergency Medical Services' Board to include the creation of a statewide quality assurance and improvement committee.

This bill was submitted on behalf of the Department of Public Safety.

Committee Amendment "A" (H-301) proposed to make several technical changes and add a fiscal note to the bill.

Enacted law summary

Public Law 1999, chapter 182 amends the laws regarding emergency medical services as follows.

1. It makes the position of Director of Maine Emergency Medical Services a major policy-influencing position and deletes language that requires the Governor to set the director's salary.
2. It amends the definitions of "ambulance attendant," "basic emergency medical technician" and "protocol." It also creates new definitions for "first responder" and "Medical Direction and Practices Board."
3. It allows the Medical Direction and Practices Board to define protocols for the emergency medical services system.
4. It makes minor technical changes in the language regarding the minimum requirements for initial licensing of emergency medical services persons.
5. It allows flight nurses to care for patients being transported by ambulance from the scene of an emergency.
6. It allows the Emergency Medical Services' Board to hold rule-making hearings regionally using current technology such as video conferencing. It also makes it clear that the board may adopt rules establishing the requirements for certification, recertification and decertification of persons engaged in emergency medical services education and training.
7. It provides for the certification and decertification of emergency medical services persons on a statewide rather than a regional basis.
8. It expands the responsibilities of the Emergency Medical Services' Board to include the creation of a statewide quality assurance and improvement committee.

LD 1539

An Act to Require More Timely Court-ordered Psychological Evaluations

PUBLIC 373

Sponsor(s)
MACDOUGALL

Committee Report
OTP-AM

Amendments Adopted
H-534

LD 1539 proposed to change the time frame for the completion of a court-ordered mental examination of an incarcerated person accused of a crime from 90 days to 30 days from the date of arrest.