

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

MEMBERS:

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Sen. William B. O'Gara
Sen. Paul T. Davis*

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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
ONT P..... 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

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PINGREE	ONTP MAJ	
ROWE	OTP-AM MIN	

LD 2573 proposed to make it a Class C crime to sell handguns in Maine to anyone under 21 years of age. As proposed, handguns are firearms, as defined in Title 17-A, §2, that have a barrel of less than 15 inches.

Current state law, Title 17-A, §554-A, prohibits a person from knowingly transferring a firearm to another person under 16 years of age unless the actor is the parent, foster parent or guardian of the minor. Unlawful transfer of a firearm to a minor is a Class D crime.

Current federal law prohibits a licensed firearms dealer from selling a handgun or handgun ammunition to a person under 21 years of age and prohibits any individual from selling a handgun or handgun ammunition to a person under 18 years of age.

Committee Amendment "A" (S-611) proposed to change the title, replace the bill and was the minority report of the Joint Standing Committee on Criminal Justice. The amendment proposed to reflect current federal law regarding the transfer of handguns to minors, including exceptions to prohibitions. Specifically, the amendment proposed to do the following:

1. Prohibit a person from transferring a handgun or ammunition that is suitable for use only in a handgun to persons less than 18 years of age;
2. Prohibit federally licensed firearm importers, manufacturers, dealers or collectors from selling or delivering a handgun or ammunition that is suitable only for use in a handgun to persons less than 21 years of age;
3. Make these violations Class D crimes; and
4. Add a fiscal note.

Senate Amendment "A" to Committee Amendment "A" (S-653) proposed to clarify that a handgun may be transferred to a minor with written consent of the minor's parent or guardian or for employment, target practice, hunting or instructions. This amendment also proposed to remove the provisions of Committee Amendment "A" specifying how the minor must transport the handgun.