

MAINE STATE LEGISLATURE

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*State Of Maine
120th Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Criminal Justice*

August 2001

Members:

*Sen. Michael J. McAlevey, Chair
Sen. William B. O'Gara
Sen. Paul T. Davis*

*Rep. Edward J. Povich, Chair
Rep. Michael W. Quint
Rep. Charles E. Mitchell
Rep. Lillian LaFontaine O'Brien
Rep. Patricia A. Blanchette
Rep. Stanley J. Gerzofsky
Rep. Judith B. Peavey
Rep. Edgar Wheeler
Rep. James H. Tobin, Jr.
Rep. Lois A. Snowe-Mello*

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120th Legislature
First Regular Session

Summary Of Legislation Before The Joint Standing Committees
August 2001

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 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*
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 First Regular Session (unless otherwise specified in a particular law) is **September 21, 2001**.

David E. Boulter, Director
 Offices Located in the State House, Rooms 101/107/135

Joint Standing Committee on Criminal Justice

Current law provides that a person sentenced as a sex offender or a sexually violent predator on or after September 18, 1999 is subject to the Sex Offender Registration and Notification Act of 1999.

LD 186 **An Act to Exempt from Concealed Firearms Permit Requirements
Residents of Other States Allowed to Carry Concealed Firearms** **ONTP**

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

LD 186 proposed to allow persons who are allowed to carry concealed firearms in other states to carry concealed firearms in this State without having to get a permit to do so.

LD 233 **An Act to Criminalize the Possession of Theft Tools** **ONTP**

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

LD 233 proposed to prohibit the possession or transfer of tools used to commit theft.

LD 259 **An Act to Offer Reciprocity Concerning Concealed Firearms
Permits** **PUBLIC 459**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERKINS DAVIS P	OTP-AM MAJ ONTP MIN	H-213 S-324 MILLS

LD 259 proposed to allow a person to carry a concealed firearm in the State if that person has a concealed firearms permit from another state or country and the permit to carry a concealed firearm from that state or country is granted reciprocity. Reciprocity could be granted to a permit to carry a concealed firearm from another state or country if:

1. The other state or country that issued the permit to carry a concealed firearm has substantially equivalent or stricter requirements for the issuance of a permit to carry a concealed firearm; and
2. The other state or country that issued the permit to carry a concealed firearm observes the same rules of reciprocity in regards to a person issued a permit to carry a concealed firearm under Maine law.

Committee Amendment "A" (H-213) was the majority report of the Joint Standing Committee on Criminal Justice and proposed to strike language that would allow reciprocity agreements with other countries and clarify

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that the Chief of the State Police may enter into reciprocity agreements with other states. The amendment also proposed to add an appropriation and a fiscal note to the bill.

Committee Amendment "A" to Committee Amendment "A" (S-324) proposed to limit to 2 the number of states with which the Chief of the State Police may enter into reciprocity agreements for the recognition of permits to carry concealed weapons. This amendment also proposed to require the Chief of the State Police by January 15, 2003 to report to the joint standing committee of the Legislature having jurisdiction over criminal justice matters regarding the cost, in money and other resources, of entering into these reciprocity agreements.

Enacted law summary

Public Law 2001, chapter 459 allows a person to carry a concealed firearm in the State if that person has a concealed firearms permit from another state and the permit to carry a concealed firearm from that state is granted reciprocity. The Chief of the State Police may enter into reciprocity agreements with no more than 2 states. Reciprocity may be granted if:

1. The other state or country that issued the permit to carry a concealed firearm has substantially equivalent or stricter requirements for the issuance of a permit to carry a concealed firearm; and
2. The other state or country that issued the permit to carry a concealed firearm observes the same rules of reciprocity in regards to a person issued a permit to carry a concealed firearm under Maine law.

Public Law 2001, chapter 459 also requires the Chief of the State Police to report to the Criminal Justice Committee by January 15, 2003 regarding the cost of entering into reciprocity agreements.

LD 260

An Act to Provide Funds to Purchase Thermal Imaging Cameras

**DIED ON
ADJOURNMENT**

<u>Sponsor(s)</u> TRAHAN KILKELLY	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-34
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LD 260 proposed to direct the State Fire Marshal to negotiate a bulk purchase price for thermal imaging cameras to be purchased by local fire-fighting units and law enforcement agencies. The bill proposed that the purchase may be furthered by means of a low-interest loan administered by the Commissioner of Public Safety from the Thermal Imaging Camera Fund, to which this bill would have appropriated \$500,000.

Committee Amendment "A" (H-34) replaced the bill. The amendment proposed to:

1. Remove references in the bill to law enforcement agencies. Under this amendment, only fire-fighting units would be eligible to participate in the bulk purchasing and loan program for thermal imaging cameras;