

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*

Staff:

*Marion Hylan Barr, Legislative Analyst
Jon Clark, Senior Analyst*

*Office of Policy and Legal Analysis
13 State House Station
Augusta, ME 04333
(207) 287-1670*



Maine State Legislature
OFFICE OF POLICY AND LEGAL ANALYSIS

13 State House Station, Augusta, Maine 04333-0013
Telephone: (207) 287-1670
Fax: (207) 287-1275

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
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 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

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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>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TRAHAN KILKELLY	OTP-AM	H-34

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;

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2. Reduce the appropriation for the Thermal Imaging Camera Program to \$50,000. The program could receive funds from private sources. Under this amendment, loans would only be made to the extent funds are available; and
3. Add a fiscal note to the bill.

LD 260 as amended by Committee Amendment "A" was not removed by the Senate from the Special Appropriations Table and died on adjournment. However, Public Law 2001, chapter 439 enacted part of LD 260 that provides funds to establish the fund. (See Part BBBB.)

LD 267	An Act to Repeal the Requirement That a Person Have a Permit for Concealed Firearms	ONTP
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TRACY DAVIS P	ONTP	

LD 267 proposed to repeal the requirement that a person obtain a permit prior to carrying a concealed firearm. It would have required a person who wanted to carry a concealed firearm to complete a handgun safety course and to carry proof of the successful completion of that course. As proposed, failure to obtain and carry such proof while carrying a concealed firearm would have been a Class D crime. A person who had a concealed firearms permit could have applied to the Commissioner of Public Safety for a waiver of the safety course requirement.

LD 272	An Act to Seize the Cars of Habitual Offenders	ONTP
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BULL	ONTP	

LD 272 proposed to allow the seizure of a motor vehicle operated by an habitual offender.

LD 274	An Act Concerning the Requirements for Exits for Boardinghouses and Lodging Houses	PUBLIC 31
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCNEIL LEMONT	OTP-AM	H-28

LD 274 proposed to allow a boardinghouse or lodging house of 3 stories or less to have a single exit from each story if it has a sprinkler system, meets the requirements of the applicable chapter of the National Fire Protection Association Life Safety Code 101 and every sleeping room has a 2nd means of escape. Current law requires that