

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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Maine State Legislature
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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

LD 464

An Act to Require a License to Sell Firearms

ONTP

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

LD 464 proposed to require sellers of firearms at gun shows or other so-called private sales to be licensed to sell firearms by the federal Bureau of Alcohol, Tobacco and Firearms and to perform background checks on the purchasers as required by federal law. The bill proposed to create exceptions for transfers to a federally licensed dealer; transfers to members of the seller's immediate family; transfers in accordance with a will; and transfers of antique firearms.

Committee Amendment "A" (S-97) was the minority report of the Joint Standing Committee on Criminal Justice and proposed to replace the bill. This amendment proposed to do the following:

1. Require a person that sells or transfers firearms at a gun show to conduct or have conducted on the person's behalf a national instant criminal background check of the purchaser or transferee;
2. Require gun show operators to post notices of this requirement at the gun show;
3. Require gun show operators to designate at least one federally licensed firearms dealer at the show to conduct background checks on behalf of unlicensed sellers at cost and to maintain a record of the transfer;
4. Establish civil penalties for violations of the law; and
5. Establish a definition of a gun show.

Committee Amendment "A" was not adopted.

LD 476

An Act to Require Lifetime Probation for Dangerous Sexual Offenders

DIED BETWEEN BODIES

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'BRIEN J	ONTP MAJ OTP-AM MIN	

LD 476 proposed to require lifetime probation for a person sentenced as a dangerous sexual offender.

Committee Amendment "A" (H-350) was the minority report of the Joint Standing Committee on Criminal Justice. The amendment proposed to require lifetime probation for a person sentenced as a dangerous sexual offender who has been sentenced as a dangerous sexual offender 2 prior times. The amendment also would have required the court to order sexual offender treatment as a condition of the dangerous sexual offender's probation. The amendment also proposed to add a fiscal note to the bill. This amendment was not adopted.