

# 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](http://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 870**                      **Resolve, Establishing a Commission to Study the Laws Governing the Sentencing of a Person Convicted of a Crime Involving a Child**                      **DIED ON ADJOURNMENT**

<u>Sponsor(s)</u> TRAHAN KILKELLY	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-263
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LD 870 proposed to establish the Commission to Study the Laws Governing the Sentencing of a Person Convicted of a Crime Involving a Child.

**Committee Amendment "A" (H-263)** replaced the resolve and proposed to establish the Commission to Study the Laws Governing the Sentencing of a Person Convicted of a Crime Involving a Child, the duties of which include: conducting a comprehensive review of Maine's laws and other states' laws pertaining to penalties imposed for crimes against children; reviewing sentencing practices and patterns for crimes against children in this State, paying particular attention to sex offenses and murder and manslaughter cases; and evaluating the effectiveness and proportionality of those penalties and sentences and the need, if any, for the State to modify its current sentencing guidelines for crimes committed against children. The amendment proposed that the commission shall deliver its report and any proposed legislation to the Second Regular Session of the 120th Legislature. It also proposed to add an appropriation section and a fiscal note to the resolve.

LD 870 as amended by Committee Amendment "A" was not removed by the Senate from the Special Appropriations Table and died on adjournment.

**LD 885**                      **An Act to Prohibit Issuance of a Concealed Firearms Permit to the Subject of a Permanent Protection from Abuse Order**                      **ONTP**

<u>Sponsor(s)</u> DOUGLASS	<u>Committee Report</u> ONTP      MAJ OTP      MIN	<u>Amendments Adopted</u>
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LD 885 proposed to prohibit the issuance of concealed firearms permits to those who have been the subject of permanent protection from abuse order within 2 years of the date of the application.

**LD 903**                      **An Act Concerning the Cost of Training County Corrections Officers**                      **ONTP**

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