

# 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

situations, "actor" is used instead. "Defendant" is often used in procedural and sentencing provisions.

14. It adds an effective date of January 31, 2003.

**LD 1743**

**An Act to Establish a Cold Case Homicide Squad**

**DIED ON  
ADJOURNMENT**

Sponsor(s)

Committee Report

Amendments Adopted

LD 1743 proposed to establish a cold case homicide squad within the Department of Public Safety. The bill proposed to terminate the squad on October 30, 2004 unless the squad is continued by the Legislature. The bill proposed to require the Department of Public Safety to provide a report to the joint standing committee of the Legislature having jurisdiction over criminal justice matters by January 1, 2004 evaluating the success of the cold case homicide squad and making recommendations on continuation of the squad. The bill also proposed to include an appropriation and an allocation to fund 3 state police detective positions for the cold case homicide squad.

LD 1743 was not removed by the Senate from the Special Appropriations Table and died on adjournment. However, Public Law 2001, chapter 439 (Part 2 budget) enacted part of LD 1743 that establishes the squad and appropriates funds for one additional State Police Detective position. (See Part XXXX.)

**LD 1750**

**An Act to Authorize the Surrender of Concealed Firearms Permits  
of Persons Who are the Subjects of Permanent Protection Orders**

**ONTP**

Sponsor(s)  
KILKELLY  
COLWELL

Committee Report  
ONTP

Amendments Adopted

LD 1750 proposed to allow the court to order the surrender of a person's concealed firearms permit if the person is subject to a permanent protection order under the Maine Revised Statutes, Title 19-A, section 4007. The bill proposed that the surrender would be for the duration of the order only, and that the permit would be returned, at the person's request, within 10 days after the expiration of the order. It also proposed to require that the Department of Public Safety, Bureau of State Police apply to the Federal Government for approval to establish state-issued concealed firearms permits as qualifying permits for purposes of bypassing federal background check requirements for firearms transactions.