

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 1800 proposed to establish the Maine Computer Crimes Task Force, which is a collaborative partnership under the auspices of the Department of Public Safety, Bureau of State Police and includes the Department of Attorney General and local law enforcement agencies. The bill proposed that the purpose of the task force is to investigate and assist those law enforcement agencies in the State that investigate crimes involving computers. The task force would have been funded by a General Fund appropriation.

LD 1800 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 1800 that establishes the task force and appropriates funds for one State Police Sergeant position and operating costs. (See Part QQQQ.)

LD 1815

An Act Regarding the Training Requirements for Certain Employees of the Department of Public Safety

INDEF PP

<u>Sponsor(s)</u>		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u>
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LD 1815 proposed to exempt from the full-time law enforcement officer training requirements the State Fire Marshal and the Department of Public Safety's Chief of the Bureau of Liquor Enforcement. The bill also proposed to exempt from the full-time law enforcement officer training requirements the Department of Public Safety's director of capitol security or security officers who are hired on or before May 1, 2001. A director or security officer hired after May 1, 2001 would not have been exempt from the training requirements. A director or security officer hired on or before May 1, 2001 could choose to attend the full-time law enforcement officer training course before July 15, 2005. The bill proposed that the Department of Public Safety shall pay for that training. This bill also proposed to include an appropriation section.

House Amendment "A" (H-754) replaced the bill. The amendment proposed to exempt from the full-time law enforcement officer training requirements the State Fire Marshal and the Department of Public Safety's Chief of the Bureau of Liquor Enforcement. The amendment also proposed to exempt from the full-time law enforcement officer training requirements capitol security officers who are hired before July 15, 2003 and the Director of Capitol Security employed in that position on June 1, 2001. A director or security officer hired before July 15, 2003 could choose to attend the full-time law enforcement officer training course before July 15, 2005. The amendment proposed that the Department of Public Safety shall pay for that training. The amendment proposed to change the penalty for a violation of any rules adopted by the Commissioner of Public Safety from \$50 to not more than \$250 and to conform the language to drafting standards.

This amendment also proposed to require the Department of Public Safety to implement the requirements within existing resources.

House Amendment "A" was not adopted.

Senate Amendment "A" (S-388) proposed to exempt the State Fire Marshal, the Director of the Bureau of Liquor Enforcement and the security officers of the Bureau of Capitol Security with limited law enforcement powers, from the full-time law enforcement officer training requirements.

Joint Standing Committee on Criminal Justice

Senate Amendment "A" was not adopted.

LD 1825

**An Act Providing Funding for the Office of the State Fire Marshal
and to Increase Certain Fire Inspection Fees**

**PUBLIC 437
EMERGENCY**

<u>Sponsor(s)</u> POVICH MCALEVEY	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-743
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LD 1825

This emergency bill proposed to do the following:

1. Increase certain inspection and permit fees collected by the Office of the State Fire Marshal to more accurately reflect the costs associated with those inspections and permits;
2. Establish a one-year special assessment to be collected from policyholders of insured fire risks located in the State. This special assessment was designed to provide operating revenues for the Office of the State Fire Marshal for fiscal year 2002;
3. Allocate funds to cover increased operating costs in the Office of the State Fire Marshal; and
4. Repeal Public Law 2001, chapter 343 retroactively.

House Amendment "A" (H-707) proposed to revise the bill by specifying that a fire insurance company or association that collects a special assessment shall notify each policyholder that the premium includes a special assessment to provide funding for the State Fire Marshal. The amendment proposed that the notification accompany the premium notice and be made in a manner determined by each fire insurance company or association. This amendment was not adopted.

Senate Amendment "A" (S-331) proposed to remove the requirement that the special assessment be separately identified on all premium notices. This amendment was not adopted.

Committee Amendment "A" (H-743) proposed to revise the bill by specifying that a fire insurance company or association that collects a special assessment shall notify each policyholder that the premium includes a special assessment to provide funding for the State Fire Marshal. The amendment proposed that the notification accompany the premium notice and be made in a manner determined by each fire insurance company or association. Committee Amendment "A" was adopted after LD 1825 was recommitted to the Criminal Justice Committee.

Enacted law summary

Public Law 2001, chapter 437 does the following.