

# MAINE STATE LEGISLATURE

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*State Of Maine  
120th Legislature*

*Second Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Criminal Justice*

*May 2002*

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**120th Legislature**  
**Second Regular Session**

**Summary Of Legislation Before The Joint Standing Committees**  
**May 2002**

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 arranged alphabetically by committee name 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:

<i>CON RES XXX</i> .....	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i> .....	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i> .....	<i>House &amp; Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i> .....	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i> .....	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i> .....	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i> .....	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i> .....	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i> .....	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i> .....	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i> .....	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i> .....	<i>Ought Not To Pass report accepted</i>
<i>OTP ND</i> .....	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i> .....	<i>Committee report Ought To Pass In New Draft/New Title</i>
<i>P&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>PASSED</i> .....	<i>Joint Order passed in both bodies</i>
<i>PUBLIC XXX</i> .....	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i> .....	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i> .....	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i> .....	<i>Legislature failed to override Governor's Veto</i>

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is July 25, 2002.

**Patrick T. Norton, Interim Director**  
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## Joint Standing Committee on Criminal Justice

**LD 1620**

**An Act to Enact Mandatory Minimum Sentences for Firearms Offenses to Make the State Eligible for Firearms Sentencing Incentive Grants**

**ONTP**

<u>Sponsor(s)</u> MUSE C		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1620, which was carried over from the First Regular Session, proposed to create the offenses of criminal possession of a firearm and criminal use of a firearm, both of which are Class C crimes that carry mandatory minimum 5-year sentences. LD 1620 proposed that a person is guilty of criminal possession of a firearm if the person was convicted of a crime of violence and was in possession of a firearm. LD 1620 proposed that a person is guilty of criminal use of a firearm if the person used or carried a firearm while committing a crime of violence or a Class A, B or C drug offense. This bill also proposed to require the Commissioner of Public Safety to implement a public awareness and community support program to build support for and warn potential violators of the provisions of the law.

**LD 1657**

**An Act to Improve Emergency Medical Services by Expanding the Pool of Qualified Emergency Medical Services Personnel**

**PUBLIC 474**

<u>Sponsor(s)</u> POVICH		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 1657, which was carried over from the First Regular Session, proposed to repeal the requirement that, prior to being licensed as an emergency medical services person, a person must be sponsored by a Maine licensed ambulance service or nontransporting emergency medical service.

### *Enacted law summary*

Public Law 2001, chapter 474 repeals the requirement that, prior to being licensed as an emergency medical services person, a person must be sponsored by a Maine licensed ambulance service or nontransporting emergency medical service.

**LD 1846**

**An Act to Ensure Victim Safety**

**PUBLIC 477**

<u>Sponsor(s)</u> PEAVEY		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 1846 proposed to amend the law regarding public disclosure of information to clarify that disclosure pertains to out-of-state probationers and parolees only if they are adults, which is consistent with the law for disclosure of information regarding in-state probationers and parolees. The bill also proposed to expand the Commissioner of Corrections' ability to determine if disclosure of information is detrimental to the welfare of clients to include those who are on probation or parole to protect them from domestic or other violence.

## Joint Standing Committee on Criminal Justice

### *Enacted law summary*

Public Law 2001, chapter 477 amends the law regarding public disclosure of information to clarify that disclosure pertains to out-of-state probationers and parolees only if they are adults, which is consistent with the law for disclosure of information regarding in-state probationers and parolees. Public Law 2001, chapter 477 also expands the Commissioner of Corrections' ability to determine if disclosure of information would be detrimental to the welfare of clients to include those who are on probation or parole to protect them from domestic or other violence.

**LD 1850**

**An Act to Improve the Juvenile Drug Court Program**

**PUBLIC 508**

<u>Sponsor(s)</u> MCALEVEY		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 1850 proposed to extend from 12 months to 15 months the time available for juveniles to complete a juvenile drug treatment court program.

### *Enacted law summary*

Public Law 2001, chapter 508 extends from 12 months to 15 months the time available for juveniles to complete a juvenile drug treatment court program.

**LD 1903**

**Resolve, to Provide Computers to Rural Fire Stations**

**ONTP**

<u>Sponsor(s)</u> MICHAUD MH BERRY R		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1903 proposed to require the Department of Public Safety, Office of the State Fire Marshal to create and implement a program to donate surplus computers used in State Government to rural fire departments, so that those departments can access the State's emergency and public safety databases and better meet their statutory reporting requirements. The resolve also proposed that this program be carried out within existing resources and that all hard drives be erased before computers are donated.

Because the Criminal Justice Committee could not amend the statutes using this resolve as a vehicle, the committee reported out its own bill, LD 2112, "An Act to Aid Fire Departments in Meeting Mandatory Reporting Requirements," pursuant to Joint Order, Senate Paper 763.