

# 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 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.

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:

- 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
PASSED..... Joint Order passed in both bodies
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 Second Regular Session (unless otherwise specified in a particular law) is July 25, 2002.

Patrick T. Norton, Interim Director
Offices located in Room 215 of the Cross Office Building

# Joint Standing Committee on Criminal Justice

LD 1932

An Act to Protect Police Horses

PUBLIC 627

<u>Sponsor(s)</u> DUDLEY KILKELLY	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-834
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LD 1932 proposed to create the new crime of unlawful interference with a law enforcement horse, which provides horses used for law enforcement purposes with the same protections that police dogs currently have under the Criminal Code.

**Committee Amendment "A" (H-834)** proposed to replace the bill. The amendment proposed to add to the Maine Criminal Code the new crime of unlawful interference with horses used for law enforcement purposes. The amendment proposed that a person is guilty of the Class C crime of unlawful interference with a law enforcement horse if the person intentionally or knowingly kills, mutilates or permanently disables a horse that the person knows or reasonably should have known is used for law enforcement purposes. The amendment also proposed that a person is guilty of the Class D crime of unlawful interference with a law enforcement horse if the person torments, beats, strikes, injures, temporarily disables or otherwise mistreats a horse that the person knows or reasonably should have known is used for law enforcement purposes. The amendment also proposed to add a fiscal note.

### *Enacted law summary*

Public Law 2001, chapter 627 creates the new crime of unlawful interference with law enforcement horses, which provides horses used for law enforcement purposes with the same protections that police dogs currently have under the Criminal Code.

LD 1954

An Act to Repeal the Sunset Provision Regarding the State Police Providing Services at Cost to Governmental and Nongovernmental Entities

PUBLIC 483  
EMERGENCY

<u>Sponsor(s)</u> PEAVEY	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-766
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LD 1954 proposed to repeal language that sunsets the State Police's ability to provide services for public safety purposes at cost to governmental and nongovernmental entities. The Second Regular Session of the 119th Legislature expanded the statute to authorize the State Police to charge private entities for providing services and to require the State Police to annually report a summary of such services to the joint standing committee having jurisdiction over criminal justice matters.

**Committee Amendment "A" (H-766)** proposed to add a fiscal note to the bill.

## Joint Standing Committee on Criminal Justice

### *Enacted law summary*

Public Law 2001, chapter 483 repeals language that would sunset the State Police's ability to provide services for public safety purposes at cost to governmental and nongovernmental entities. The Second Regular Session of the 119th Legislature expanded the statute to authorize the State Police to charge private entities for providing services.

Public Law 2001, chapter 483 was enacted as an emergency measure effective February 21, 2002.

**LD 1955**

**An Act to Allow Federal Law Enforcement Officers to Enforce  
Maine Statutes**

**PUBLIC 602**

<u>Sponsor(s)</u> PEAVEY		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-927
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LD 1955 proposed to add Special Agents of the United States Secret Service of the Department of the Treasury to the list of federal law enforcement agency personnel who can enforce Maine statutes, provided the personnel are trained in Maine criminal law and Maine law on the use of force and that agency has developed and filed policies governing its employees with the Maine Criminal Justice Academy.

**Committee Amendment "A" (H-927)** proposed to replace the bill. The amendment proposed to put a repeal date on the provision that adds Special Agents of the United States Secret Service of the Department of Treasury to the list of federal officers that have the authority to enforce Maine laws. The amendment proposed to repeal the United States Secret Service's authority July 1, 2004.

### *Enacted law summary*

Public Law 2001, chapter 602 adds Special Agents of the United States Secret Service of the Department of the Treasury to the list of federal law enforcement agency personnel who can enforce Maine statutes provided the personnel are trained in Maine criminal law and Maine law on the use of force and that the agency has developed and filed policies governing its employees with the Maine Criminal Justice Academy. Public Law 2001, chapter 602 also repeals the United States Secret Service's authority to enforce Maine law July 1, 2004.