

# 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:

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**  
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## Joint Standing Committee on Criminal Justice

5. It specifies that a law enforcement agency that takes fingerprints or palm prints, upon request, for a criminal history record check for noncriminal justice purposes may not maintain any demographic information that is taken or collected in the process of taking the fingerprints or palm prints.

**LD 1997**

### An Act Regarding Fire Safety Laws for Residential Care Facilities

**PUBLIC 531**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FULLER LONGLEY	OTP-AM	H-833

LD 1997 proposed that that prior to being licensed a residential care facility must be certified as meeting certain provisions of the National Fire Protection Association Life Safety Code.

**Committee Amendment "A" (H-833)** proposed to specify that a residential care facility must use timed drills unless the facility has elected to complete evacuation scores in lieu of timed drills or timed drills are not required. The amendment proposed to change from a Class E crime to a civil violation any failure to comply with the timed drill or evacuation score requirements. The amendment also proposed to add a fiscal note to the bill.

#### *Enacted law summary*

Public Law 2001, chapter 531 provides that prior to being licensed a residential care facility must be certified as meeting certain provisions of the National Fire Protection Association Life Safety Code. Residential care facilities must use timed drills unless the facility has elected to complete evacuation scores in lieu of timed drills or timed drills are not required. Public Law 2001, chapter 531 specifies that it is a civil violation for failure to comply with the timed drill or evacuation score requirements.

**LD 2002**

### Resolve, Establishing a Commission to Study County Jail Population, Cost and Reimbursement by the State

**INDEF PP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PEAVEY TREAT	OTP-AM	H-861

LD 2002, a resolve, proposed to establish the Commission to Study County Jail Population, Costs and Reimbursement by the State. The resolve proposed that the commission study and make recommendations regarding:

1. Initiatives for regional cooperation and solutions in building county jails;
2. Population of county jails, overcrowding and growth;
3. State probation violations, where those violations should be served and who should pay for the resulting incarceration;