

# 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*

**Members:**

*Sen. Michael J. McAlevey, Chair  
Sen. William B. O'Gara  
Sen. Paul T. Davis, Sr.*

*Rep. Edward J. Povich, Chair  
Rep. Michael W. Quint  
Rep. Charles E. Mitchell  
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Rep. Edgar Wheeler  
Rep. James H. Tobin, Jr.  
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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**  
**Offices located in Room 215 of the Cross Office Building**

## Joint Standing Committee on Criminal Justice

9. It amends Title 34-A, section 11227 by replacing the word "convicted" with the word "sentenced."

Public Law 2001, chapter 553 was enacted as an emergency measure effective March 25, 2002.

### LD 2032

#### **An Act to Exclude Court Holidays from the Time Required in Which a Juvenile Detention Hearing Must be Held**

ONTP

Sponsor(s)  
PEAVEY

Committee Report  
ONTP

Amendments Adopted

LD 2032 proposed to amend the juvenile detention laws to specify that court holidays be excluded from the time limits for holding juveniles in detention prior to a hearing. This change would have made the law the same for juveniles as for adults as set out in the Maine Rules of Criminal Procedure Rule 5.

### LD 2039

#### **Resolve, Directing the Department of Public Safety, Maine Emergency Medical Services, Medical Direction and Practices Board to Review and Update Protocols for Training Basic Emergency Medical Technicians to Administer Epinephrine**

**RESOLVE 87  
EMERGENCY**

Sponsor(s)  
TRAHAN

Committee Report  
OTP-AM

Amendments Adopted  
H-864

LD 2039 proposed to allow a municipality to train its emergency medical services persons to administer epinephrine, commonly known as adrenalin.

**Committee Amendment "A" (H-864)** proposed to replace the bill and create a resolve. The resolve proposed to direct the Department of Public Safety, Maine Emergency Medical Services, Medical Direction and Practices Board to review and update protocols and training for basic emergency medical technicians to carry and administer epinephrine. The amendment proposed that in developing its protocols and training, the board review other states' medical practices regarding emergency medical personnel carrying and administering epinephrine and treat the issue of developing protocols for the administration of epinephrine to school-age children as a priority in this process. The amendment proposed that the board report its recommendations and subsequent actions regarding protocols and training for the carrying and administering of epinephrine by basic emergency medical technicians to the joint standing committee of the Legislature having jurisdiction over criminal justice matters by January 1, 2003. The amendment also proposed to authorize the committee to report out implementing legislation if necessary. The amendment also proposed to add a fiscal note.

#### ***Enacted law summary***

Resolve 2001, chapter 87 directs the Department of Public Safety, Maine Emergency Medical Services, Medical Direction and Practices Board to review and update protocols and training for basic emergency medical technicians to carry and administer epinephrine. In developing its protocols and training, the board shall review other states' medical practices regarding emergency medical personnel carrying and