

# MAINE STATE LEGISLATURE

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*State Of Maine  
121st Legislature*

*First Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Criminal Justice and Public Safety*

*July 2003*

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# Maine State Legislature



## Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

### 121st Maine Legislature First Regular Session

#### Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint 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>CARRIED OVER PURSUANT TO HP 1212</i> .....	<i>Bills carried over to the 2<sup>nd</sup> Regular Session</i>
<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>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 that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

**David C. Elliott, Director**  
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*Joint Standing Committee on Criminal Justice and Public Safety*

**LD 427**

**An Act To Clarify That the Maine Juvenile Code Does Not Preclude Sharing Information with School Administrators for Purposes of School Safety**

**PUBLIC 190**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WESTON SYKES	OTP-AM	S-29 S-95 WESTON

LD 427 proposed to specify that the Maine Juvenile Code's confidentiality provisions do not preclude law enforcement officers or criminal justice agencies from sharing information pertaining to juveniles with school administrators in order to maintain safety, order and discipline in the schools and to prevent harm to persons or property.

**Committee Amendment "A" (S-29)** proposed to change the title, replace the bill and was the majority report. The amendment proposed to narrow the scope of information that may be shared by law enforcement with school administrators to that information that was credible and indicated an impending danger to the safety of students and school personnel. The amendment also proposed to control the dissemination of information by requiring the superintendent who received student information from a law enforcement officer to set up a notification team pursuant to Title 20-A, section 1055, subsection 11. The amendment also proposed to add a fiscal note and to clarify that information received pursuant to this new provision could not become part of a student's education record.

**Senate Amendment "A" to Committee Amendment "A" (S-95)** proposed to clarify that the information contained in the notice from a law enforcement officer pertaining to an alleged juvenile offense must indicate an "imminent" danger to the safety of students or school personnel pursuant to Title 15, section 3301-A.

***Enacted Law Summary***

Public Law 2003, chapter 190 specifies that the Maine Juvenile Code's confidentiality provisions authorize law enforcement officers or criminal justice agencies to share information pertaining to juveniles with school administrators if that information is credible and indicates an imminent danger to the safety of students or school personnel. Public Law 2003, chapter 190 also controls the dissemination of this information by requiring the superintendent who receives student information from a law enforcement officer to set up a notification team pursuant to Title 20-A, section 1055, subsection 11. Any information received pursuant to Public Law 2003, chapter 190 may not become part of a student's education record.

**LD 461**

**Resolve, Requiring the State Police To Develop a Form for Use in Private Firearm Sales**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SNOWE-MELLO	ONTP	

LD 461 proposed to require the State Police to develop a form for a purchaser of a firearm to complete prior to a private firearm sale and to make the form available to municipalities and the general public and through downloading from the Internet.