

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

*State Of Maine  
121st Legislature*

*First Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Criminal Justice and Public Safety*

*July 2003*

**Staff:**

*Marion Hylan Barr, Legislative Analyst  
James Adolf, Legislative Analyst*

*Office of Policy and Legal Analysis  
13 State House Station  
Augusta, ME 04333  
(207) 287-1670*

**Members:**

*Sen. Ethan K. Strimling, Chair  
Sen. Pamela Hatch  
Sen. David L. Carpenter*

*Rep. George H. Bunker, Chair  
Rep. Patricia A. Blanchette  
Rep. Stanley J. Gerzofsky  
Rep. Paul J. Lessard  
Rep. Carol A. Grose  
Rep. Lois A. Snowe-Mello  
Rep. Christian D. Greeley  
Rep. Louie B. Maietta  
Rep. Richard M. Sykes  
Rep. John W. Churchill*

# 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**  
Offices located in Room 215 of the Cross Office Building

## *Joint Standing Committee on Criminal Justice and Public Safety*

Public Law 2003, chapter 305 clarifies the process by which the juvenile community corrections officer ensures that the Secretary of State receives notice of violations of Title 28-A, section 2052 and Title 22, section 2389, subsection 2 when no juvenile petition will be filed. Public Law 2003, chapter 305 requires the Secretary of State to suspend a juvenile's driver's license for 30 days upon receiving notice of a violation. Public Law 2003, chapter 305 also specifies that the court may suspend a juvenile's license for up to 6 months when a juvenile violates Title 17-A, chapter 45; Title 22, section 2383; Title 22, section 2383-B, subsection 5; Title 22, section 2389, subsection 2; or Title 28-A, section 2052 and is adjudicated to have committed a juvenile crime.

### **LD 891                      An Act To Require the Videotaping of Police Interrogations                      CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STRIMLING NORBERT		

LD 891 proposes to require police departments and other law enforcement agencies to videotape examinations that concern the commission of a crime and that are conducted within police departments or other law enforcement facilities.

### **LD 893                      An Act To Authorize County Jails To Purchase Prescription Drugs and Other Medications in Bulk for Prisoners                      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DOUGLASS MAKAS	ONTP	

LD 893 proposed to authorize sheriffs to purchase and store prescription drugs and other medications in bulk quantities to be administered to prisoners in county jails.

### **LD 895                      An Act To Clarify the Responsibilities of Contract Law Enforcement Officers                      PUBLIC 80**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVAGE	OTP-AM	S-25

LD 895 proposed to clarify that, if a municipality contracts with a sheriff's department or the State Police to provide law enforcement for the municipality, officers of that sheriff's department or the State Police have the full powers of municipal police officers within the municipality, including authority to enforce local parking ordinances.

**Committee Amendment "A" (S-25)** proposed to replace the bill. The amendment proposed to clarify that a municipality lacking an organized police department may contract with the State Police or a sheriff's department to enforce municipal ordinances and give the officers or deputy sheriffs the authority to enforce the ordinances.

*Joint Standing Committee on Criminal Justice and Public Safety*

**Enacted Law Summary**

Public Law 2003, chapter 80 clarifies that a municipality lacking an organized police department may contract with the State Police or a sheriff's department to enforce municipal ordinances and give the officers or deputy sheriffs the authority to enforce the ordinances.

**LD 907**                      **Resolve, Directing the Department of Corrections To Develop a Plan To Improve Transitional Services for Sex Offenders and Sexually Violent Predators and To Improve Communications with Law Enforcement Agencies Regarding the Release of Sex Offenders**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROTUNDO MAKAS	ONTP	

LD 907 proposed to direct the Department of Corrections to develop a plan to establish transitional services for sex offenders and sexually violent predators released from incarceration, including community support for housing and employment and necessary counseling and treatment, and to improve communications between the department and law enforcement agencies regarding the conditional release and discharge of sex offenders and sexually violent predators. The bill proposed that the Department of Corrections report to the Joint Standing Committee on Criminal Justice and Public Safety by May 1, 2003, and that the committee has authority to report out any necessary legislation to implement recommendations.

**LD 917**                      **An Act Regarding the Sale of Weapons at Gun Shows**                      **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GERZOFSKY STRIMLING		

LD 917 proposes to close the “gun show loophole” by requiring that a national instant criminal background check be performed prior to the sale or transfer of a firearm at a gun show. The bill proposes to make a gun show operator responsible for any failure to perform a required background check and subject to a fine of up to \$10,000 for each such failure. The bill also proposes to require gun show operators to post signs at gun shows and notify exhibitors of the background check requirement and to provide unlicensed sellers and transferors with access to licensed sellers and transferors who would undertake the required background checks.