

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).

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 2nd 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 & 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&S XXX</i>	<i>Chapter # of enacted Private & 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

other penalty allowed by law, the court would have had to require the violator to pay restitution and to perform community service for the owner of the cemetery if the owner requested that community service work be performed.

This amendment was not adopted.

LD 1266 **An Act To Clarify Sentencing for Persons Convicted of Class D and Class E Crimes Involving Domestic Violence** **PUBLIC 154**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLWELL STRIMLING	OTP-AM	H-154

LD 1266 proposed that the period of probation for a person convicted of a Class D or Class E crime involving domestic violence would be 2 years, except that the term of probation would terminate when the probationer had served at least one year, had completed a certified batterers' intervention program and had met all other conditions of probation.

Committee Amendment "A" (H-154) proposed to amend the title to accurately reflect the intent of the bill and to add a fiscal note.

Enacted Law Summary

Public Law 2003, chapter 154 specifies that the period of probation for a person convicted of a Class D or Class E crime involving domestic violence is 2 years, except that the term of probation terminates when the probationer has served at least one year, has completed a certified batterers' intervention program and has met all other conditions of probation.

LD 1323 **An Act To Adopt an Interstate Compact for Juveniles on Probation and Parole** **PUBLIC 500**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'BRIEN J	OTP-AM	H-209

LD 1323 proposed to create the Interstate Compact for Juveniles. The bill proposed to enter Maine into a compact among enacting states to oversee, supervise and coordinate the interstate movement of juveniles who are on probation or parole. The compact creates a governing body called the Interstate Commission for Juveniles made up of representatives from the enacting states, which has rulemaking, enforcement and other powers. The compact would become effective upon enactment by the 35th state.

Committee Amendment "A" (H-209) proposed to incorporate a fiscal note.

Enacted Law Summary

Public Law 2003, chapter 500 creates the Interstate Compact for Juveniles. The law enters Maine into a compact among enacting states to oversee, supervise and coordinate the interstate movement of juveniles who are on

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probation or parole. The compact creates a governing body called the Interstate Commission for Juveniles made up of representatives from the enacting states, which has rulemaking, enforcement and other powers. The compact becomes effective upon enactment by the 35th state.

LD 1401 **An Act To Provide the Office of the State Fire Marshal with Adequate Funding for Construction Plans Review** **PUBLIC 358**

<u>Sponsor(s)</u> BUNKER STRIMLING	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-472
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LD 1401 proposed to allow the Commissioner of Public Safety to establish a fee schedule for the review of plans for construction, reconstruction or repairs to structures submitted to the Office of the State Fire Marshal that would cover the cost of providing the service so long as the fee did not exceed \$10,000.

Committee Amendment "A" (H-472) proposed to replace the bill. The amendment proposed to authorize the Commissioner of Public Safety to establish a fee schedule for the review of plans for construction, reconstruction or repairs to structures submitted to the Office of the State Fire Marshal. The amendment proposed that the fee schedule for new construction or new use would be 5¢ per square foot for occupied spaces and 2¢ per square foot for bulk storage occupancies, except that a fee for review of a plan for new construction by a public school could not exceed \$450. The amendment proposed that the fee schedule for reconstruction, repairs or renovations would be based on the cost of the project and could not exceed \$450. The amendment also proposed to add a fiscal note.

Enacted Law Summary

Public Law 2003, chapter 358 authorizes the Commissioner of Public Safety to establish a fee schedule for the review of plans for construction, reconstruction or repairs to structures submitted to the Office of the State Fire Marshal. The fee schedule for new construction or new use is 5¢ per square foot for occupied spaces and 2¢ per square foot for bulk storage occupancies, except that a fee for review of a plan for new construction by a public school may not exceed \$450. The fee schedule for reconstruction, repairs or renovations is based on the cost of the project and may not exceed \$450.

LD 1405 **An Act To Adjust Fees Charged for Licenses Issued by the Bureau of State Police Licensing Division** **ONTP**

<u>Sponsor(s)</u> BLANCHETTE MAYO	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1405 proposed to adjust fees collected for issuance of licenses and permits issued by the Department of Public Safety, Bureau of State Police, Licensing Division for games of chance and beano, contract security guard companies, private investigators and firearms permits.