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:

CARRIED OVER PURSUANT TO HP 1212	Bills carried over to the 2nd Regular Session
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
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 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

LD 1434   **An Act To Ensure Basic Standards for Death Investigations by Law Enforcement Agencies**   **PUBLIC 370**

Sponsor(s)	Committee Report	Amendments Adopted
BUNKER	OTP-AM	H-474
STRIMLING		

LD 1434 proposed to require law enforcement agencies to adopt a written policy to deal with death investigations, including the minimum standard protocol for death investigations published by the Department of the Attorney General.

Committee Amendment "A" (H-474) proposed to direct the Board of Trustees of the Maine Criminal Justice Academy to establish by January 1, 2004 the new model policy for death investigations that the bill required. The amendment also proposed to require that each law enforcement agency certify by June 1, 2004 to the board that the agency has adopted a death investigation policy and to require a law enforcement agency to certify by June 1, 2005 that the law enforcement agency has adopted orientation and training regarding the new policy.

This amendment also proposed to add a mandate preamble and a fiscal note to the bill.

Enacted Law Summary

Public Law 2003, chapter 370 requires law enforcement agencies to adopt a written policy to deal with death investigations, including the minimum standard protocol for death investigations published by the Department of the Attorney General. Public Law 2003, chapter 370 directs the Board of Trustees of the Maine Criminal Justice Academy to establish by January 1, 2004 the new model policy for death investigations. Public Law 2003, chapter 370 also requires that each law enforcement agency certify by June 1, 2004 to the board that the agency has adopted a death investigation policy and requires a law enforcement agency to certify by June 1, 2005 that the law enforcement agency has adopted orientation and training regarding the new policy.

LD 1436   **An Act To Clarify That an Individual Requestor of a State Bureau of Identification Record Check Must Pay a Fee**   **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
STRIMLING	ONTP	
JODREY		

The Department of Public Safety, State Bureau of Identification has historically charged individuals, as well as organizations, to conduct criminal history record checks. LD 1436 proposed to clarify the language of the enabling statute to reflect that practice by adding individuals to the list of entities that could be charged a fee.