

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
Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Criminal Justice and Public Safety

LD 1449

An Act Regarding the State Police Command Staff

PUBLIC 360

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STRIMLING	OTP-AM MAJ	S-211
JODREY	OTP-AM MIN	

The Chief of the State Police may appoint lieutenant colonels and majors to assist the chief. An appointee who is either removed by the chief for a reason other than malfeasance of office or is not reappointed by a new chief may return to the appointee's previous rank in the State Police if the appointee is not eligible to collect retirement benefits. LD 1449 proposed to reflect that the number of years of creditable service for a full service retirement benefit has increased from 20 years to 25 years.

Committee Amendment "A" (S-211) was the majority report of the Joint Standing Committee on Criminal Justice and Public Safety and proposed to replace the bill. The amendment proposed to maintain the language from the bill that reflects the number of years of creditable service for a full service retirement benefit has increased from 20 to 25 years. The amendment also proposed to amend the law to reflect that only one chief deputy may be appointed, instead of 2, which the law now authorizes. The amendment also proposed to make technical changes.

Committee Amendment "B" (S-212) was the minority report of the Joint Standing Committee on Criminal Justice and Public Safety and proposed to replace the bill. The amendment proposed to maintain the language from the bill that reflects the number of years of creditable service for a full service retirement benefit has increased from 20 to 25 years. The amendment also proposed to amend the law to reflect that only one chief deputy may be hired and that the chief deputy and 2 majors are to be hired based on merit, instead of being appointed by the Chief of the State Police. The bill intended that the change from an appointment process to one of promotions based on merit would apply to the next officers hired to these positions and not to the current chief deputy and majors. The amendment also proposed to make technical changes. This amendment was not adopted.

Enacted Law Summary

Public Law 2003, chapter 360 amends the laws concerning State Police command staff. Under current law, the Chief of the State Police may appoint lieutenant colonels and majors to assist the chief. An appointee who is either removed by the chief for a reason other than malfeasance of office or is not reappointed by a new chief may return to the appointee's previous rank in the State Police if the appointee is not eligible to collect retirement benefits. Public Law 2003, chapter 360 reflects that the number of years of creditable service for a full service retirement benefit has increased from 20 years to 25 years. Public Law 2003, chapter 360 also amends the law to reflect that only one chief deputy may be appointed, instead of 2, which the law now authorizes.