

MAINE STATE LEGISLATURE

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STATE OF MAINE
125TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON CRIMINAL JUSTICE
AND PUBLIC SAFETY**

July 2011

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STATE OF MAINE
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LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 125th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

CARRIED OVER carried over to a subsequent session of the Legislature
CON RES XXX..... chapter # of constitutional resolution passed by both houses
CONF CMTE UNABLE TO AGREE..... Committee of Conference unable to agree; legislation died
DIED BETWEEN HOUSES..... House & Senate disagreed; legislation died
DIED IN CONCURRENCE..... defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW..... sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY..... ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX..... chapter # of enacted public Law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 125th Legislature is September 28, 2011. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Standing Committee on Criminal Justice and Public Safety

This amendment requires a municipality, if the legislative body of that municipality adopts an ordinance that restricts the carrying of firearms in that municipality's essential municipal offices or places of legislative assembly, to post in a prominent location outside the affected offices and places a notice of the existence of that restriction.

This amendment was not adopted.

LD 580 An Act To Protect Children from Sexual Predators

**PUBLIC 50
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DIAMOND	OTP-AM	S-26

This bill adds accessing with the intent to view sexually explicit material involving a child under 16 years of age to the offense of possession of sexually explicit material.

Committee Amendment "A" (S-26)

This amendment adds an emergency preamble and clause and, to be consistent with changes in the bill, also amends the Title 17-A, section 284, subsection 5 to include the word "accessing" in the provision dealing with the interpretation of age of the person being depicted in a sexually explicit visual image or material.

Enacted Law Summary

Public Law 2011, chapter 50 adds accessing with the intent to view sexually explicit material involving a child under 16 years of age to the offense of possession of sexually explicit material.

Public Law 2011, chapter 50 was enacted as an emergency measure effective April 25, 2011.

LD 592 An Act Regarding Forensic Examination Kits

PUBLIC 59

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PLUMMER MASON	OTP	

This bill amends the law to reflect current practice by directing that forensic examination kits be retained by investigating law enforcement agencies rather than transported to the Maine State Police Crime Laboratory. The bill ensures that the text of the Maine Revised Statutes, Title 24, section 2986, subsection 3 is consistent with similar text located in Title 25, section 3821.

Enacted Law Summary

Public Law 2011, chapter 59 directs that forensic examination kits be retained by investigating law enforcement agencies rather than transported to the Maine State Police Crime Laboratory. Public Law 2011, chapter 59 also ensures that the text of the Maine Revised Statutes, Title 24, section 2986, subsection 3 is consistent with similar text located in Title 25, section 3821.