

MAINE STATE LEGISLATURE

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STATE OF MAINE
128TH LEGISLATURE
FIRST REGULAR SESSION



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

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

August 2017

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LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 128th 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. An appendix provides a summary of relevant session statistics.

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 128th Legislature is Wednesday, November 1, 2017. 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

LD 346 An Act To Make Abuse of Corpse a Class C Crime

**Died On
Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KATZ R GROHMAN M	OTP-AM	S-111

This bill increases the class of crime for abuse of corpse from Class D to Class C.

Committee Amendment "A" (S-111)

This amendment incorporates a fiscal note.

LD 350 An Act To Repeal Certain Requirements Concerning the Sale and Purchase of Firearms

PUBLIC 81

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HARVELL L	OTP-AM	H-137

This bill repeals the law that requires a firearms dealer who sells, lets or loans a firearm to make a copy of the form the dealer must keep pursuant to federal law and to show that copy to a law enforcement officer or prosecuting attorney.

Committee Amendment "A" (H-137)

This amendment replaces the bill and amends the provision of law that requires a firearms dealer who sells, lets or loans a firearm to make a copy of the form the dealer must keep pursuant to federal law and to show that copy to a law enforcement officer or prosecuting attorney as follows.

1. Like the bill, it removes the requirement that a dealer make a state copy of that federal form;
2. It requires a dealer to show to or allow inspection of that federal form by a state law enforcement officer or prosecuting attorney upon presentation of a formal written request for inspection stating that the form relates to an active criminal investigation; and
3. It retains the exception currently in law regarding the sale of firearms by a wholesaler to a dealer or another wholesaler.

Enacted Law Summary

Public Law 2017, chapter 81 amends the provision of law that requires a firearms dealer who sells, lets or loans a firearm to make a copy of the form the dealer must keep pursuant to federal law and to show that copy to a law enforcement officer or prosecuting attorney as follows.

1. It removes the requirement that a dealer make a state copy of that federal form.
2. It requires a dealer to show to or allow inspection of that federal form by a state law enforcement officer or prosecuting attorney upon presentation of a formal written request for inspection stating that the form relates to an active criminal investigation.