

MAINE STATE LEGISLATURE

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CRIMINAL JUSTICE AND PUBLIC SAFETY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
123RD LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 864, L.D. 1183, Bill, "An Act To Clarify Public Safety Laws Regarding the Disclosure of Information and the Storage of Evidence, To Reauthorize the United States Secret Service To Enforce Certain State Laws and To Allow Designees To Serve on the Maine Communications System Policy Board"

Amend the bill in section 1 in subsection 1 by striking out all of paragraphs F and G (page 1, lines 31 to 37 in L.D.) and inserting the following:

'F. Special Agents of the United States Secret Service of the Department of Homeland Security; and

G. An officer of an agency of the United States Department of Homeland Security that has administrative and enforcement jurisdiction over immigration, customs or border security matters.'

Amend the bill by striking out all of section 7 (page 2, lines 25 to 36 in L.D.) and inserting the following:

'Sec. 7. 25 MRSA §3821, first ¶, as enacted by PL 1999, c. 719, §4 and affected by §11, is amended to read:

If an alleged victim of gross sexual assault has a forensic examination and has not reported the alleged offense to a law enforcement agency when the examination is complete, the licensed hospital or licensed health care practitioner that completed the forensic examination shall notify the nearest law enforcement agency. That law enforcement agency shall transport the completed kit, identified only by a tracking number assigned by the hospital or health care practitioner, to its evidence storage facility. The law enforcement agency shall store the kit for at least 90 days from the time of receipt. If during that 90-day period the alleged victim reports the offense to a law enforcement agency, the investigating agency storing the kit shall transport take possession of the kit to the Maine State Police Crime Laboratory.'

COMMITTEE AMENDMENT

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SUMMARY

2 This amendment removes the sunset provision from sections in the bill related to the
3 authority of the United States Secret Service of the Department of Homeland Security to
4 enforce the laws of the State.

5 The amendment also clarifies in the provisions related to evidence storage that the
6 investigating agency shall take possession of forensic examination kits in cases involving
7 gross sexual assault.