

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
123<sup>RD</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123<sup>rd</sup> Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON JUDICIARY**

July 2007

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\*Representative Bonnie S. Gould replaced former Representative Abigail Holman on the Judiciary Committee.

# STATE OF MAINE

123<sup>RD</sup> LEGISLATURE

FIRST REGULAR SESSION

## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS



This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 123<sup>rd</sup> Maine Legislature, which was in session from December 6, 2006 to June 21, 2007.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill 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 bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

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 (or Accepted ONTP report).....	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 non-emergency legislation enacted in the First Regular Session is **September 20, 2007**. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

# Joint Standing Committee on Judiciary

## **LD 584** An Act Concerning Animal Control Officers as Reporters of Abuse

**PUBLIC 139**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SIMPSON	OTP-AM	H-173

LD 584 adds animal control officers to the list of professionals who are mandated to report suspected cases of abuse of children and incapacitated or dependent adults.

### **Committee Amendment "A" (H-173)**

This amendment replaces the bill. It allows municipal animal control officers to report suspected adult abuse, neglect or exploitation and suspected child abuse or neglect.

### **Enacted Law Summary**

Public Law 2007, chapter 139 allows municipal animal control officers to report suspected adult abuse, neglect or exploitation and suspected child abuse or neglect.

## **LD 588** An Act To Allow Civil Penalties for Trespass while Engaging in Activities Regulated by Inland Fisheries and Wildlife

**PUBLIC 334**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT M	OTP-AM	H-375

LD 588 establishes a civil trespass law for those involved with activities regulated or requiring licensure by the Maine Revised Statutes, Title 12, Part 13. The "foreign object" provision clarifies the scope of the prohibition on trespass for conservation law purposes. LD 588 also makes commission of this violation grounds for mandatory revocation of a hunting or fishing license or permit.

### **Committee Amendment "A" (H-375)**

This amendment replaces the term "foreign object" with the term "projectile," which is similar to the concept used in Florida statutes to cover instances of trespass. "Projectile" means a bullet, pellet, shot, shell, ball, arrow, bolt or other object propelled or launched from any firearm or a bow, crossbow or similar tensile device. This amendment makes the new violation consistent with the Maine Revised Statutes, Title 12, Part 13 standard that a civil violation becomes a Class E crime if there are at least three prior adjudications of civil violations under that Part. This amendment deletes the section of the bill that made the commission of the new civil violation of civil trespass grounds for mandatory revocation of a hunting or fishing license or permit.

### **Enacted Law Summary**

Public Law 2007, chapter 334 establishes a civil trespass law for those involved with activities regulated or requiring licensure by the Maine Revised Statutes, Title 12, Part 13. The law includes causing a projectile to enter or remain in any place illegally. The "foreign object" provision clarifies the scope of the prohibition on trespass for conservation law purposes. Chapter 334 is consistent with the Maine Revised Statutes, Title 12, Part 13 standard that a civil violation becomes a Class E crime if there are at least three prior adjudications of civil violations under that Part.