

# 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 CRIMINAL JUSTICE  
AND PUBLIC SAFETY**

July 2007

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# STATE OF MAINE

123<sup>RD</sup> LEGISLATURE

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## 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 Criminal Justice and Public Safety*

**LD 604      An Act To Clarify the Confirmation Process of the Director of the  
Maine Emergency Management Agency**

**PUBLIC 3  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STRIMLING		

This bill corrects an omission in the law concerning the appointment of the Director of the Maine Emergency Management Agency by adding that the director must be confirmed by the Legislature. This bill was not referred to the Criminal Justice and Public Safety Committee.

**Enacted Law Summary**

Public Law 2007, chapter 3 corrects an omission in the law concerning the appointment of the Director of the Maine Emergency Management Agency by adding that the director must be confirmed by the Legislature.

Public Law 2007, chapter 3 was an emergency measure effective February 14, 2007.

**LD 606      An Act To Protect Licensed Pawnbrokers**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROTUNDO	ONTP	

This bill prohibits a law enforcement officer from seizing suspected stolen property from a pawnbroker without a warrant. A law enforcement officer who suspects that a pawnbroker is in possession of stolen property must show the pawnbroker the police report describing the stolen property, ask the pawnbroker to place the property on hold, return with a warrant that describes the property and upon seizure of the property give the pawnbroker a copy of the warrant and a receipt for the property along with a statement that the property will be held for determination by the court as to ownership.

**LD 613      An Act To Protect Children from Sexual Predators**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CANAVAN BRYANT B	ONTP	

This bill requires that a judicial officer must determine before ordering a pretrial release of a defendant for a crime bailable as of right preconviction whether the release will compromise the public safety. Therefore, a person with a conviction for a sexual offense would not be released if the judicial officer determined the person would compromise public safety if released.

See LD 514, "An Act to Protect Community Safety by Amending Maine's Bail Code," now Public Law 2007, chapter 374, which incorporates completely the public safety aspect into the determination of preconviction bail.