

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
FIRST REGULAR SESSION



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

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

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STATE OF MAINE

123RD 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 123rd 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 1391 An Act To Focus the Use of the Sex Offender Registry Website on the Most Dangerous Offenders

ONTP

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

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to delete from the sex offender registry website those registered sex offenders who pose little or no risk of reoffending to the community. While remaining in compliance with the requirements of registration and notification imposed by federal law, this bill proposes to review and remove if possible from the website the following registrants:

1. A registrant who committed a Class A crime requiring registration who has not been convicted of committing another crime against a person for a period of at least 20 years after release from incarceration;
2. A registrant who committed a Class B crime requiring registration who has not been convicted of committing another crime against a person for a period of at least 15 years;
3. A registrant who committed a Class C crime requiring registration who has not been convicted of committing another crime against a person for a period of at least 10 years; and
4. A registrant who committed a Class D crime requiring registration who has not been convicted of committing another crime against a person for a period of at least 5 years.

The bill also proposes that the Commissioner of Public Safety, in consultation with an advisory group that must include representatives of the Joint Standing Committee on Criminal Justice and Public Safety, the Maine Prosecutors Association, the Attorney General, the Department of Corrections and the Maine Civil Liberties Union, shall create a classification system based on risk to be applied to each person required to register under the Sex Offender Registration and Notification Act of 1999 in order to identify sex offenders based on their risk of reoffending and the degree of likelihood that they pose a danger to the community. The level of risk must be listed on the website in the case of moderate-risk and high-risk offenders. Low-risk offenders will be removed from the website.

See carry over bill, LD 446, "An Act to Improve the Use of Information Regarding Sex Offenders to Better Ensure Public Safety and Awareness."

LD 1405 An Act To Amend the Laws Governing the Lawful Possession of Certain Scheduled Drugs

ONTP

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

This bill requires that a person be given 24 hours to produce a valid prescription for a scheduled drug or controlled substance before being charged with unlawful possession of that scheduled drug or controlled substance.