

# 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**

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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 1411 An Act To Amend the Auto Impoundment and Forfeiture Laws

ONTP

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

This bill authorizes a law enforcement agency or officer to immobilize a motor vehicle with a wheel clamp or other immobilization device as part of the impoundment procedure when a driver has been arrested for an OUI or driving while under license suspension for OUI and requires the driver to pay any immobilization fee before regaining possession of the motor vehicle.

### LD 1425 An Act To Facilitate the Reporting of the Crime of Acquiring Drugs by Deception

PUBLIC 382

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKANE	OTP-AM	H-462

This bill permits and provides immunity for the good faith reporting of the crime of acquiring drugs by deception by a prescribing health care provider, or a person acting under the direction or supervision of a prescribing health care provider, to a law enforcement official.

#### Committee Amendment "A" (H-462)

This amendment expands the ability of a prescribing health care provider, or a person acting under the direction or supervision of a prescribing health care provider, to report with immunity if the provider or person knows or has reasonable cause to believe that a person is committing deception or has committed deception as specified in the bill. The amendment also changes "law enforcement official" to "law enforcement officer." Finally, the amendment amends another section of law to be consistent with the changes made in the bill.

#### Enacted Law Summary

Public Law 2007, chapter 382 provides immunity for the good faith reporting to a law enforcement official by a prescribing health care provider, or a person acting under the direction or supervision of a prescribing health care provider, of the crime of acquiring drugs by deception.

### LD 1449 An Act To Provide Outreach and Training on Dementia-related Protocols for Law Enforcement Officers

ONTP

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

Under this bill, the Commissioner of Public Safety will convene a task force consisting of representatives of public safety agencies to aid in the development of procedures and protocols to be used to ensure timely, effective and consistent responses by law enforcement personnel when persons who are cognitively impaired, including persons with Alzheimer's disease or other dementia-related conditions, wander off or become missing. The bill further directs the commissioner to provide outreach and training programs to law enforcement officers on those protocols and procedures.