MAINE STATE LEGISLATURE

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STATE OF MAINE

125TH LEGISLATURE

FIRST REGULAR SESSION

Summaries of bills, adopted amendments and laws enacted or finally passed

JOINT STANDING COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

July 2011

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FIRST REGULAR SESSION

LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 125th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD 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 LD is noted to the right of the LD title. The following describes the various final actions.

CARRIED OVER .... *carried over to a subsequent session of the Legislature*
CON RES XXX .... *chapter # of constitutional resolution passed by both houses*
CONF CMTE UNABLE TO AGREE .... *Committee of Conference unable to agree; legislation died*
DIED BETWEEN HOUSES .... *House & Senate disagreed; legislation died*
DIED IN CONCURRENCE .... *defeated in each house, but on different motions; legislation died*
DIED ON ADJOURNMENT .... *action incomplete when session ended; legislation died*
EMERGENCY .... *enacted law takes effect sooner than 90 days after session adjournment*
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE .... *emergency failed to receive required 2/3 vote*
FAILED, ENACTMENT or FINAL PASSAGE .... *failed to receive final majority vote*
FAILED, MANDATE ENACTMENT .... *legislation proposing local mandate failed required 2/3 vote*
HELD BY GOVERNOR .... *Governor has not signed; final disposition to be determined at subsequent session*
LEAVE TO WITHDRAW .... *sponsor's request to withdraw legislation granted*
NOT PROPERLY BEFORE THE BODY .... *ruled out of order by the presiding officer; legislation died*
INDEF PP .... *indefinitely postponed; legislation died*
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X .... *ought-not-to-pass report accepted; legislation died*
P&S XXX .... *chapter # of enacted private & special law*
PUBLIC XXX .... *chapter # of enacted public Law*
RESOLVE XXX .... *chapter # of finally passed resolve*
VETO SUSTAINED .... *Legislature failed to override Governor's veto*

The effective date for non-emergency legislation enacted in the First Regular Session of the 125th Legislature is September 28, 2011. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

LD 1227   **An Act Concerning the Disposal of Unclaimed, Lost or Stolen Personal Property by Law Enforcement Agencies**   **PUBLIC 267**

Sponsor(s)	Committee Report	Amendments Adopted
BURNS DC	OTP-AM	H-413

This bill amends the statutes regarding disposal of unclaimed, lost or stolen personal property by law enforcement by authorizing 2 new options: 1) property in a law enforcement agency's custody may be donated to a nonprofit organization or charity, or 2) it may be disposed of as waste. Currently, law enforcement agencies hold the property until there is a sufficient amount to auction. The bill also specifies that any property disposed of as waste by a law enforcement agency may not be owned or used by any member of a law enforcement agency or an immediate family member of a law enforcement agency member.

Committee Amendment "A" (H-413)

This amendment changes the process of notification of abandoned, lost or stolen property in the possession of a state law enforcement agency to require the notification to be posted in a newspaper of general circulation in the county in which the property was taken into custody, instead of in a newspaper having statewide circulation as the bill proposes.

Enacted Law Summary

Public Law 2011, chapter 267 amends the statutes regarding disposal of unclaimed, lost or stolen personal property by law enforcement by authorizing 2 new options: 1) property in a law enforcement agency's custody may be donated to a nonprofit organization or charity, or 2) it may be disposed of as waste. Public Law 2011, chapter 267 specifies that any property disposed of as waste by a law enforcement agency may not be owned or used by any member of a law enforcement agency or an immediate family member of a law enforcement agency member. Public Law 2011, chapter 267 also changes the process of notification of abandoned, lost or stolen property in the possession of a state law enforcement agency to require the notification to be posted in a newspaper of general circulation in the county in which the property was taken into custody, instead of in a newspaper having statewide circulation.

LD 1232   **An Act To Enhance Self-defense by Removing Restrictions on the Carrying and Use of Weapons**   **MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
LIBBY	ONTP MAJ	
SNOWE-MELLO	OTP MIN	

This bill removes the prohibition on having a loaded firearm or crossbow in a motor vehicle for a person other than a holder of a concealed weapons permit. The bill provides the exception that a person may shoot from a motor vehicle or motorboat in the defense of life and property. The bill removes the prohibition on concealing a dangerous weapon except by a holder of a concealed weapons permit, and it removes exceptions to the law prohibiting the carrying of a concealed dangerous weapon.

Committee Amendment "A" (H-584)