

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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STAFF:

MARION HYLAN BARR, SENIOR ANALYST
ALYSON MAYO, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

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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.

Joint Standing Committee on Criminal Justice and Public Safety

This bill requires counties to remit the amount of property tax collected for correctional services to the State Board of Corrections Investment Fund program, which disburses the money back to the counties upon adoption of the counties' correctional services budgets by the State Board of Corrections. This bill also gives the State Board of Corrections contracting authority as appropriate regarding the provision of county correctional services.

LD 1423 An Act To Amend the Laws Governing Disorderly Conduct ONTP

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

This bill amends the law prohibiting disorderly conduct to remove the stipulation that the prohibited conduct recklessly causes annoyance to others.

LD 1438 An Act To Require Videoconferencing for Civil and Criminal Proceedings for Inmates ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BURNS DC RAYE	ONTP	

This bill requires the courts to use videoconferencing technology to conduct all civil and criminal court proceedings involving a prisoner committed to a county or state correctional facility, except for a proceeding that requires the prisoner's physical presence in the courtroom. This bill also requires the Department of Corrections, State Board of Corrections to adjust a county's budget to pay for expenses incurred by a court in using videoconferencing for prisoner court proceedings from savings of the county in reduced costs for transporting prisoners.

LD 1439 An Act Regarding Permits To Carry Concealed Firearms PUBLIC 298

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HANLEY	OTP-AM	H-485

This bill makes the following changes to the laws governing permits to carry concealed firearms.

1. It adds a definition of "handgun" to the laws regarding permits to carry concealed firearms.
2. It clarifies that concealed firearm permits allow permittees to carry only handguns, such as pistol-type firearms, on the person, not long guns or machine guns.
3. It lengthens the amount of time issuing authorities have to process applications for concealed handgun permits.
4. It prohibits criminal justice agencies from charging fees to conduct record checks in relation to background checks that are conducted by issuing authorities as part of the process of reviewing a permit application.