

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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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

LD 1514 **An Act To Amend the Sex Offender Registration Laws**

Carried Over

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

This bill creates the Sex Offender Registration and Notification Act of 2011, which is applicable to persons sentenced on or after October 15, 2011. The Act maintains registration and notification provisions but adds to these processes a tiering system and the development and application of risk assessment. The new Act's purpose continues to be to protect the public from potentially dangerous registrants and offenders by enhancing access to information concerning registrants and offenders.

Offenders are classified by offense as Tier I, Tier II or Tier III offenders and must register for 10 years, for 25 years or for life, respectively. However, the bill also creates a new risk assessment process, which involves the Department of Corrections' coordinating the adoption or development of a risk assessment instrument and the qualifying of evaluators to apply the instrument. At certain times of verification of registration information, a registrant may request a risk assessment for purposes of reclassification or removal from the registry.

The bill adopts the same penalties for failure to comply with requirements of registration and adopts the same notification process as exists in the Maine Revised Statutes, Title 34-A, chapter 15, the Sex Offender Registration and Notification Act of 1999.

LD 1514 was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

LD 1525 **An Act To Expand Reciprocity by Allowing Certain Nonresidents To Possess a Firearm in Maine**

ONTP

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

Current law prohibits the possession of a firearm in Maine by a nonresident who has been convicted of a crime in another state punishable in that state by imprisonment for more than one year or of a crime classified by that state as a misdemeanor punishable by a term of more than 2 years. A resident of Maine or a nonresident who has been convicted of a crime punishable by imprisonment for one year or more may apply for a permit to carry a black powder rifle 5 years after the disposition of the sentence for that crime.

This bill specifies that a nonresident convicted of a crime in another state may legally possess a firearm in Maine, if the nonresident is allowed to legally possess a firearm in the state where the conviction occurred.