

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
126<sup>TH</sup> 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 2013

**STAFF:**

CURTIS BENTLEY, LEGISLATIVE ANALYST  
ANNA BROOME, LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670

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# STATE OF MAINE

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## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 126<sup>th</sup> 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 126<sup>th</sup> Legislature is October 9, 2013. 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 40 An Act To Protect a Private Memorial Placed in a Public Right-of-way**

**ACCEPTED  
MAJORITY  
(ONTP) REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHASE CUSHING	ONTP OTP	

This bill prohibits the removal or destruction of a private memorial placed in a public right-of-way to mark the site of the death of a person. It establishes a Class D crime for tampering with a private memorial.

**LD 76 An Act To Provide Funding to the State Board of Corrections for  
Certain County Jail Debt**

**INDEF PP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DION	ONTP OTP-AM	

This bill provides a General Fund appropriation of \$4,573,190 in fiscal year 2013-14 and \$4,743,415 in fiscal year 2014-15 for the State Board of Corrections, which is for the difference between the fiscal year 2007-08 county jail debt costs and the amount of county jail debt costs projected for fiscal years 2013-14 and 2014-15.

**Committee Amendment "A" (H-28)**

This amendment, which is the minority report of the committee, requires that any funding appropriated for the difference between fiscal year 2007-08 county jail debt costs and the amount projected for fiscal years 2013-14 and 2014-15 be used only for capital improvement projects. The State Board of Corrections determines what constitutes a capital improvement project.

**LD 85 An Act To Amend the Motor Vehicle Ignition Interlock Device  
Requirements in the Laws Regarding Operating Under the Influence**

**PUBLIC 187**

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

This bill increases the minimum mandatory driver's license suspension for a person convicted of operating under the influence who has three or more previous offenses within a 10-year period from six to eight years and removes the requirement that such a person install for a period of four years an ignition interlock device in the motor vehicle the person operates, but authorizes the Secretary of State to reinstate the license of such a person after four years of suspension if the person has installed for a period of four years an ignition interlock device in the motor vehicle the person operates.

**Enacted Law Summary**

Public Law 2013, chapter 187 increases the minimum mandatory driver's license suspension for a person convicted of operating under the influence who has three or more previous offenses within a 10-year period from six to eight years and removes the requirement that such a person install for a period of four years an ignition interlock device in the motor vehicle the person operates, but authorizes the Secretary of State to reinstate the license of such a person after 4 years of suspension if the person has installed for a period of four years an ignition interlock device in