

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH 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

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STATE OF MAINE

126TH LEGISLATURE

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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 126th 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 126th 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

the motor vehicle the person operates.

LD 111 **An Act To Restrict the Sale, Purchase and Use of Fireworks in the State** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LAJOIE CLEVELAND		

This bill repeals the provisions of law enacted in Public Law 2011, chapter 416 that permit the sale, purchase and use of consumer fireworks.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 122 **An Act To Provide Assistance to Municipalities Recovering from a Municipally Significant Disaster** **ACCEPTED MAJORITY (ONTP) REPORT**

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

This bill authorizes the Governor to declare a municipally significant disaster in cases where a disaster causes damages to locally maintained roads, bridges and other public facilities, the repair of which exceeds 20% of the affected municipality's total annual operating budget, excepting the education budget. The municipal officers in the affected municipality must work with the Department of Transportation and the Department of Administrative and Financial Services, Bureau of General Services to agree on an estimate of the total cost of the damages. The Governor may enter into a cost-sharing agreement with the municipal officers, subject to approval by the local legislative body, obligating the municipality to pay up to 50% of the cost of repairs. The bill further authorizes the Governor to enter into a cost-sharing agreement with a municipality that is affected by an event occurring in an abutting municipality. This negotiated share is also subject to approval by the local legislative body. In both cases, the State's share of the authorized expenditures is funded through the existing Disaster Relief Fund.

Committee Amendment "A" (H-61)

This amendment, which is the minority report of the committee, clarifies that State resources pay for 50% of the cost of a municipally significant disaster, contingent upon future budgetary action by the Legislature. The amendment also requires the Department of Administrative and Financial Services, Bureau of General Services and the Department of Transportation to work with a municipality to determine the cost of uninsured damages rather than all damages. The departments determine the actual cost of damages for compensation rather than estimated damages. It also clarifies that the Governor may enter into agreements that obligate municipal financial resources up to 50% of the actual total cost of damages rather than estimated damages.

LD 139 **An Act To Amend the Laws Governing the Sale of Firearms Carried by Maine State Police** **ONTP**

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