

# 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

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# STATE OF MAINE

126<sup>TH</sup> LEGISLATURE

FIRST REGULAR SESSION



## 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*

the motor vehicle the person operates.

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

**CARRIED OVER**

Sponsor(s)

LAJOIE  
CLEVELAND

Committee Report

Amendments Adopted

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**

Sponsor(s)

TURNER  
THOMAS

Committee Report

ONTP  
OTP-AM

Amendments Adopted

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**

Sponsor(s)

BEAUDOIN  
VALENTINO

Committee Report

ONTP

Amendments Adopted

*Joint Standing Committee on Criminal Justice and Public Safety*

This bill directs that proceeds from the sale of firearms to current or former State Police personnel be deposited into a dedicated account within the Department of Public Safety, Bureau of State Police for the purchase of replacement firearms. It also provides a one-time General Fund appropriation of \$118,983 and Highway Fund allocation of \$114,317 in fiscal year 2013-14 to the Department of Public Safety for the purchase of firearms.

**LD 140      An Act To Create a Permanent Wabanaki Law Enforcement Seat on the Board of Trustees of the Maine Criminal Justice Academy      DIED BETWEEN HOUSES**

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

This bill provides a permanent seat on the Board of Trustees of the Maine Criminal Justice Academy for a representative of the five Wabanaki tribal governments. The tribal representative must be chosen for a two-year term by a process determined by the tribal governments. The process must require that the position rotate among the five tribal governments.

**LD 152      An Act To Authorize the Commissioner of Agriculture, Conservation and Forestry To Nominate Certain Rangers in the Division of Forestry To Become Conservation Law Enforcement Officers      LEAVE TO WITHDRAW**

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

This bill authorizes the Commissioner of Agriculture, Conservation and Forestry to nominate forest rangers in the Department of Agriculture, Conservation and Forestry, Division of Forestry as candidates to become conservation law enforcement officers with the same powers as law enforcement officers. Candidates nominated to become conservation law enforcement officers must successfully meet and maintain the training standards and requirements for other state law enforcement officers. In the event that the Commissioner of Agriculture, Conservation and Forestry nominates one or more forest rangers as conservation law enforcement officers, the bill allows the commissioner, in consultation with the Commissioner of Public Safety, to develop a plan to address the training needs of forest rangers to become conservation law enforcement officers. It also provides a definition of the term "conservation law enforcement officer."

**LD 166      An Act To Criminalize Importation of So-called Bath Salts Containing Synthetic Hallucinogenic Drugs      ONTP**

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

This bill prohibits the importation of synthetic hallucinogenic drugs.