

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
126<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills, amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON JUDICIARY**

July 2013

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# STATE OF MAINE

126<sup>TH</sup> 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 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 Judiciary*

This amendment creates a private right of action against a law enforcement agency for violations of the new law. A person may collect compensatory damages plus up to \$5,000 and reasonable attorney's fees and court costs.

### **Senate Amendment "A" To Committee Amendment "B" (S-285)**

This amendment imposes a moratorium until July 1, 2015 on the use of unmanned aerial vehicles by law enforcement agencies. The moratorium does not apply to specified emergency situations.

### **House Amendment "A" To Committee Amendment "B" (H-540)**

This amendment imposes a moratorium until July 1, 2015 on the use of unmanned aerial vehicles by law enforcement agencies. The moratorium does not apply to specified emergency situations.

This amendment was not adopted.

### **Senate Amendment "A" To Committee Amendment "A" (S-299)**

This amendment requires the Joint Standing Committee on Judiciary to report out legislation based on the report of the Board of Trustees of the Maine Criminal Justice Academy.

This amendment was not adopted.

### **House Amendment "B" To Committee Amendment "B" (H-563)**

This amendment adds to the list of allowed uses of unmanned aerial vehicles the deployment of an unmanned aerial vehicle or any component parts by a manufacturer, subcontractor of a manufacturer, testing company or educational institution for the purposes of research, testing, training or manufacture of such vehicles, and exempts a manufacturer or subcontractor, testing company or educational institution deploying an unmanned aerial vehicle for such research, testing, training or manufacturing purposes from the prohibition on the use of facial recognition technology or equipping a vehicle with weapons.

**LD 258**

### **An Act To Implement the Recommendations of the Right To Know Advisory Committee Concerning Meetings of Public Bodies**

**ONTP**

Sponsor(s)

Committee Report

Amendments Adopted

ONTP

This bill implements the majority recommendation of the Right To Know Advisory Committee concerning public meetings.

Part A authorizes the use of remote-access technology to conduct public proceedings. Subject to specific requirements, it authorizes a body to conduct a public proceeding during which a member of the body participates in the discussion or transaction of public or government business through telephonic, video, electronic or other similar means of communication.

Under current law, the following state agencies are authorized to use remote-access technology to conduct meetings: the Finance Authority of Maine, the Commission on Governmental Ethics and Election Practices, the Emergency Medical Services' Board and the Workers' Compensation Board. Part B provides a specific exemption from the new requirements for the Small Enterprise Growth Board, the Emergency Medical Services' Board and the Workers' Compensation Board.