

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

Judge of the District Court to adopt rules to collect the bail fee as a surcharge for those defendants who cannot pay the bail fee at the time bail is set.

Committee Amendment "A" (S-29)

This amendment adds an appropriations and allocations section to the bill.

LD 267 An Act Regarding the Sale of Firearms at Gun Shows

**ACCEPTED
MINORITY
(ONTP) REPORT**

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

This bill requires that a national instant criminal background check be performed prior to the sale or transfer of a firearm at a gun show. The bill makes a gun show operator responsible for any failure to perform a required background check and subject to a fine of up to \$10,000 for each such failure. The bill also requires gun show operators to post signs at gun shows to notify exhibitors of the background check requirement and requires gun show operators to provide unlicensed sellers and transferors with access to licensed sellers and transferors who will undertake the required background checks.

LD 277 An Act To Clarify the Laws Regarding the Calculation of the Period of Imprisonment **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| GERZOFSKY | ONTP | |

This bill requires that, for purposes of credit for time served for a criminal defendant, all time served by the defendant for conduct under a particular case docket number is credited regardless of what the defendant may be charged with initially or of what charges the defendant is ultimately convicted.

LD 296 An Act To Equalize the Fire Investigation and Prevention Tax Paid by Insurers **PUBLIC 95**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| LAJOIE TUTTLE | OTP | H-32 DION |

The purpose of this bill is to ensure that all fire insurance companies and associations doing business in Maine collect and pay the fire investigation and prevention tax at the same rate. This bill requires the Department of Professional and Financial Regulation, Bureau of Insurance to determine every five years the basis percentage of fire risk allocated to each line of insurance and requires that fire insurance companies and associations pay the established percentage based on the basis allocation.

House Amendment "A" (H-32)

This amendment incorporates a fiscal note.

Enacted Law Summary