

# 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

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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*

those prisoners with no more than \$1,000 in their accounts.

6. It clarifies that the phrase "administration of juvenile criminal justice" has the same meaning as in the Maine Juvenile Code.

**LD 366      An Act To Adjust the Values of Property That Define the Class of Crime for Theft Offenses      ONTP**

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

This bill changes the property values that define theft crimes other than Class E crimes as follows:

1. For a Class B offense, from more than \$10,000 to more than \$20,000;
2. For a Class C offense, from more than \$1,000 but not more than \$10,000 to more than \$5,000 but not more than \$20,000; and
3. For a Class D offense, from more than \$500 but not more than \$1,000 to more than \$1,000 but not more than \$5,000.

**LD 379      An Act To Require Institutions To Report Knowledge or Suspicion of Criminal Violations to a Law Enforcement Agency      ONTP**

| <u>Sponsor(s)</u>    | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| KUSIAK<br>WHITTEMORE | ONTP                    |                           |

This bill requires the administration of an institution supported by public funds that provides a public service to immediately report to the appropriate law enforcement agency any knowledge or suspicion of a crime or criminal activity that is taking or has taken place on the grounds of the institution.

**LD 380      An Act To Clarify the Law Concerning the Threatening Display of Dangerous Weapons      VETO SUSTAINED**

| <u>Sponsor(s)</u>  | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| GATTINE<br>HASKELL | OTP-AM<br>ONTP          | H-204                     |

This bill amends the law regarding threatening display or carrying of a dangerous weapon by clarifying that "display in a threatening manner" includes to display a dangerous or deadly weapon in a public place in a way that causes a reasonable person to suffer intimidation or alarm.

**Committee Amendment "A" (H-204)**

This amendment replaces the bill and is the majority report of the committee. It clarifies that, except as prohibited by law, a person has the right to carry an unconcealed firearm in this State. This amendment prohibits a person, unless excepted by law, from refusing to provide that person's name, address and date of birth at the request of a law enforcement officer if the person possesses a dangerous and deadly weapon in a public place if the totality of the