

# 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**

**LD 887**

**An Act To Repeal a Specialized Form of the Generic Crime of Theft by Unauthorized Taking or Transfer**

**PUBLIC 96**

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

This bill repeals the crime of theft by unauthorized taking or transfer at a casino or slot machine facility since, except for the additional requirement that the theft occur at or from a casino or slot machine facility, the crime is already prohibited by the generic umbrella crime of theft by unauthorized taking or transfer.

**Enacted Law Summary**

Public Law 2013, chapter 96 repeals the crime of theft by unauthorized taking or transfer at a casino or slot machine facility since, except for the additional requirement that the theft occur at or from a casino or slot machine facility, the crime is already prohibited by the generic umbrella crime of theft by unauthorized taking or transfer.

**LD 888**

**An Act To Provide Funding to the Judicial Branch to Facilitate Reporting to the National Instant Criminal Background Check System**

**ACCEPTED  
MAJORITY  
(ONTP) REPORT**

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

Public Law 2007, chapter 670 directs a court to transmit to the Department of Public Safety, State Bureau of Identification information on any order for involuntary commitment issued by the court and requires the commanding officer of the State Bureau of Identification to transmit that information to the Federal Bureau of Investigation, National Instant Criminal Background Check System for firearms background check purposes. However, the court and the State Bureau of Identification are not required to transmit such information until sufficient funding is available to cover the costs associated with the reporting requirements.

This bill provides a General Fund appropriation to the Judicial Department of \$200,000 in fiscal year 2013-14 and \$10,000 in fiscal year 2014-15 and to the Department of Public Safety, State Bureau of Identification of \$25,000 in fiscal year 2013-14 and \$7,000 in fiscal year 2014-15 to fund costs associated with the transmission of information to the Federal Bureau of Investigation, National Instant Criminal Background Check System on court orders for involuntary commitment.

**Committee Amendment "A" (H-159)**

This amendment, which is the minority report of the committee, makes a technical correction to the appropriations and allocations section.

**LD 926**

**An Act To Increase the Penalty for an Adult Who Provides Alcohol to a Minor Involved in a Fatal Accident**

**ONTP**

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