

# 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 1053**      **An Act Regarding a Retired Law Enforcement Officer Carrying a Concealed Handgun without a Permit**      **ONTP**

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

This bill amends the requirements for a retired law enforcement officer to carry a concealed handgun without a permit by adding that the retired law enforcement officer must have completed the firearms basic training course at the Maine Criminal Justice Academy or equivalent training requirements and removes the requirement for training within a year of possessing the handgun.

**LD 1054**      **An Act To Prohibit Enforcement by a Federal or State Official or Others of the National Defense Authorization Act For Fiscal Year 2012**      **ACCEPTED MAJORITY (ONTP) REPORT**

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

This bill expresses the findings of the Legislature that the National Defense Authorization Act For Fiscal Year 2012, authorizing the President of the United States to arrest, detain without charge, detain indefinitely, try under the laws of war or transfer to a foreign jurisdiction a noncitizen, violates the Constitution of the United States. This bill:

1. Prohibits within the State the activities authorized by the Act that the Legislature finds unconstitutional;
2. Prohibits the State from providing material support to or participating in the implementation of provisions of the Act that the Legislature finds unconstitutional;
3. Requires the Department of Public Safety to report to the Governor and Legislature any attempt by an agency or agent of the Federal Government to implement the Act through the operation of any state department or agency;
4. Makes a federal official or employee of a corporation doing business with the Federal Government who enforces or attempts to enforce the unconstitutional provisions of the Act guilty of a Class E crime; and
5. Makes a state official or employee of a corporation doing business with the State who enforces or attempts to enforce the unconstitutional provisions of the Act guilty of a Class D crime.

**Committee Amendment "A" (H-161)**

This amendment is the minority report of the committee and incorporates a fiscal note.

**LD 1079**      **An Act To Provide for Alternatives for the Courts To Address Settlement of Fines in Certain Cases**      **ONTP**

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