

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON CRIMINAL JUSTICE
AND PUBLIC SAFETY**

August 2015

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127TH 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 127th 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. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

<i>CARRIED OVER</i>	<i>carried over to a subsequent session of the Legislature</i>
<i>CON RES XXX</i>	<i>chapter # of constitutional resolution passed by both houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; legislation died</i>
<i>DIED BETWEEN HOUSES</i>	<i>House & Senate disagreed; legislation died</i>
<i>DIED IN CONCURRENCE</i>	<i>defeated in each house, but on different motions; legislation died</i>
<i>DIED ON ADJOURNMENT</i>	<i>action incomplete when session ended; legislation died</i>
<i>EMERGENCY</i>	<i>enacted law takes effect sooner than 90 days after session adjournment</i>
<i>FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE</i>	<i>emergency failed to receive required 2/3 vote</i>
<i>FAILED, ENACTMENT or FINAL PASSAGE</i>	<i>failed to receive final majority vote</i>
<i>FAILED, MANDATE ENACTMENT</i>	<i>legislation proposing local mandate failed required 2/3 vote</i>
<i>HELD BY GOVERNOR</i>	<i>Governor has not signed; final disposition to be determined at subsequent session</i>
<i>LEAVE TO WITHDRAW</i>	<i>sponsor's request to withdraw legislation granted</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>ruled out of order by the presiding officer; legislation died</i>
<i>INDEF PP</i>	<i>indefinitely postponed; legislation died</i>
<i>ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X</i>	<i>ought-not-to-pass report accepted; legislation died</i>
<i>P&S XXX</i>	<i>chapter # of enacted private & special law</i>
<i>PUBLIC XXX</i>	<i>chapter # of enacted public law</i>
<i>RESOLVE XXX</i>	<i>chapter # of finally passed resolve</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's veto</i>

The effective date for non-emergency legislation enacted in the First Regular Session of the 127th Legislature is October 15, 2015. 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

occupational and professional licenses and material changes to their conditions and qualifications set forth in their original applications for licensure;

- 4. It clarifies that the Emergency Medical Services' Board has the power and duty to appoint or approve the members of the Medical Direction and Practices Board;
- 5. It adds to the purposes for which information specifically identifying individuals collected by Maine Emergency Medical Services may be released the purposes of public health surveillance and linkage with patient electronic medical records; and
- 6. It repeals the law establishing the Epinephrine Training Fund.

LD 823

An Act To Upgrade the Concealed Handgun Permit Law

CARRIED OVER

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

This bill amends the laws concerning permits to carry concealed handguns by:

- 1. Making the Chief of the State Police the sole issuing authority for a permit to carry concealed handguns;
- 2. Extending the term of a permit to carry concealed handguns from four years to ten years; and
- 3. Removing the requirement that a course that includes handgun safety taken by an applicant for a permit to carry concealed handguns must have been taken by the applicant within five years prior to the date of application.

Committee Amendment "A" (H-309)

This amendment makes the following changes to the bill.

- 1. It increases the application and renewal fees for a concealed handgun permit from \$35 to \$52.50 and from \$20 to \$52.50, respectively, for a resident. For a nonresident the fee is increased from \$60 to \$120 for either an application or a renewal.
- 2. The bill proposes to extend the period a permit is valid from four to ten years. This amendment makes a permit valid for five years.
- 3. It requires the State Police to establish a centralized database containing information about concealed handgun permit holders and applicants for concealed handgun permits. It provides that the centralized database must be accessible by law enforcement agencies or law enforcement officers or by court order and that information about a permit holder or an applicant must be purged from the centralized database within five years after the permit expires or after the period for an appeal of a denial or a revocation of a permit has run.
- 4. It provides that an application for a concealed handgun permit received before January 1, 2017 is not subject to the provisions of this legislation, but an application for a new concealed handgun permit or a renewal of a concealed handgun permit received by an issuing authority on or after January 1, 2017 is subject to this legislation.
- 5. It adds an appropriations and allocations section.
- 6. It adds an effective date of January 1, 2017.

Joint Standing Committee on Criminal Justice and Public Safety

House Amendment "A" To Committee Amendment "A" (H-385)

This amendment amends Committee Amendment "A" to remove the requirement that the State Police establish a centralized database containing information about concealed handgun permit holders and applicants for concealed handgun permits.

This amendment also requires the Chief of the State Police to enter into reciprocity agreements with other states regarding recognition of concealed handgun permits. Public Law 2015, chapter 144 requires Maine to recognize a permit to carry a concealed handgun issued by another state. This amendment does not affect that.

This bill was reported out of committee, then committed back to the Joint Standing Committee on Criminal Justice and Public Safety and carried over to any special or regular session of the 127th Legislature by joint order, H.P. 998.

LD 868 An Act To Remove Limitations on Reciprocity for Concealed Handguns PUBLIC 144
Permits

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS MASTRACCIO	OTP ONTP	

Current law authorizes the Chief of the State Police to grant reciprocity to a permit to carry a concealed handgun issued from another state if the other state has substantially equivalent or stricter requirements for the issuance of a permit and the other state observes the same rules of reciprocity regarding a person issued a permit under Maine law.

This bill removes the authority of the Chief of the State Police to enter into reciprocity agreements and eliminates the required equivalency provisions and simply recognizes a concealed handgun permit issued to a person by that person's state of residence if that person's state of residence honors a permit to carry a concealed handgun issued under Maine law.

Enacted Law Summary

Public Law 2015, chapter 144 removes the authority of the Chief of the State Police to enter into reciprocity agreements for concealed handgun permits with other states and eliminates the existing concealed handgun permit equivalency provisions and simply recognizes a concealed handgun permit issued to a person by that person's state of residence if that person's state of residence honors a permit to carry a concealed handgun issued under Maine law.

LD 936 An Act To Protect Children from Sexual Predators, Sexual Abuse and ONTP
Sexual Assault

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DIAMOND MAREAN	ONTP	

This bill does the following:

1. Raises to Class C the crime of sexual abuse of a minor who is either 14 or 15 years of age;
2. Raises to Class C the crime of visual sexual aggression against a child under 14 years of age;