

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
128<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**

August 2017

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# STATE OF MAINE

128<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 128<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. 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.

*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 128<sup>th</sup> Legislature is Wednesday, November 1, 2017. 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 9**

**An Act To Prohibit the Creation of a Firearms Owner Registry**

**PUBLIC 175**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COREY P DIAMOND B	OTP-AM ONTP	H-87

This bill prohibits a government agency of this State or a political subdivision of this State from keeping a list or registry of privately owned firearms or a list or registry of the owners of those firearms. It provides exceptions for firearms that have been used in committing a crime of violence dangerous to human life and persons who have been convicted of a crime of violence dangerous to human life.

**Committee Amendment "A" (H-87)**

This amendment, which is the majority report of the committee, replaces the bill and provides that a government agency of the State or a political subdivision of the State may not keep or cause to be kept a comprehensive registry of privately owned firearms and the owners of those firearms within its jurisdiction.

**Enacted Law Summary**

Public Law 2017, chapter 175 provides that a government agency of the State or a political subdivision of the State may not keep or cause to be kept a comprehensive registry of privately owned firearms and the owners of those firearms within its jurisdiction.

**LD 18**

**An Act To Make Exposing a Law Enforcement Officer to a Disorienting Substance a Crime**

**Accepted Majority (ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'CONNOR B DAVIS P	ONTP OTP-AM	

This bill creates the crime of assault on a law enforcement officer through unlawful exposure. A person commits a Class D crime if the person intentionally, knowingly or recklessly exposes a law enforcement officer to any substance in a manner that could temporarily disable, disorient, impair the sight of or impair the breathing of the law enforcement officer; a person commits a Class C crime if the exposure could cause serious bodily injury or death to the law enforcement officer.

**Committee Amendment "A" (H-88)**

This amendment, which is the minority report of the committee, amends the bill by clarifying the new crime of assault on a law enforcement officer through unlawful exposure as follows.

1. It provides that the crime of assault on a law enforcement officer through unlawful exposure may occur either when the officer is in the performance of the officer's official duties or while off duty.
2. It expands the scope of the new crime by defining "law enforcement officer" to include corrections officers, corrections supervisors, forest rangers and marine patrol officers.
3. To better describe for the purposes of the Maine Criminal Code the conduct criminalized in the new crime, it clarifies that the unlawful exposure to a substance must be done in a manner that creates a substantial risk of a specified injury to a law enforcement officer.