

# 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 252**

**An Act To Improve Safety in the Disposal of Expired Marine Flares**

**Veto Sustained**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCREIGHT J MIRAMANT D	OTP-AM ONTP	H-62

This bill establishes within the Department of Public Safety programs for the collection and disposal of expired marine flares and for public education regarding expired marine flares.

**Committee Amendment "A" (H-62)**

This amendment replaces the bill. The amendment provides for the State Fire Marshal to establish, within existing resources, a program of storage, collection and disposal of expired marine flares. The amendment requires the State Fire Marshal to accept from owners and fire departments expired marine flares and to dispose of the expired flares safely. The amendment provides for public education to be undertaken by the State Fire Marshal in collaboration with the Department of Agriculture, Conservation and Forestry, the Department of Inland Fisheries and Wildlife, the Department of Environmental Protection, the Department of Marine Resources and the Department of Public Safety.

**LD 321**

**An Act To Enhance Safety on School Property**

**Accepted Majority  
(ONTP) Report**

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

This bill creates the Class E crime of criminal trespass on school property if a person who is not authorized to be in or on school property enters or remains in or on the property that is posted. The bill also prohibits a person from staying on school property after being asked not to enter or being asked to leave the property by the principal, principal's designee, member of the school staff or law enforcement officer.

**Committee Amendment "A" (H-25)**

This amendment is the minority report of the committee. This amendment removes from the bill the provision that allows a principal or the principal's designee or a member of the school staff to take into custody and detain a person believed to be committing criminal trespass on school property.

This amendment was not adopted.

**LD 332**

**An Act Regarding Service of Criminal Process on Electronic  
Communication Service Providers and Remote Computing Service  
Providers**

**PUBLIC 144  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-339

This bill contains recommendations of the Criminal Law Advisory Commission.