

# 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 346      An Act To Make Abuse of Corpse a Class C Crime**

**Died On  
Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KATZ R GROHMAN M	OTP-AM	S-111

This bill increases the class of crime for abuse of corpse from Class D to Class C.

#### **Committee Amendment "A" (S-111)**

This amendment incorporates a fiscal note.

### **LD 350      An Act To Repeal Certain Requirements Concerning the Sale and Purchase of Firearms**

**PUBLIC 81**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HARVELL L	OTP-AM	H-137

This bill repeals the law that requires a firearms dealer who sells, lets or loans a firearm to make a copy of the form the dealer must keep pursuant to federal law and to show that copy to a law enforcement officer or prosecuting attorney.

#### **Committee Amendment "A" (H-137)**

This amendment replaces the bill and amends the provision of law that requires a firearms dealer who sells, lets or loans a firearm to make a copy of the form the dealer must keep pursuant to federal law and to show that copy to a law enforcement officer or prosecuting attorney as follows.

1. Like the bill, it removes the requirement that a dealer make a state copy of that federal form;
2. It requires a dealer to show to or allow inspection of that federal form by a state law enforcement officer or prosecuting attorney upon presentation of a formal written request for inspection stating that the form relates to an active criminal investigation; and
3. It retains the exception currently in law regarding the sale of firearms by a wholesaler to a dealer or another wholesaler.

#### **Enacted Law Summary**

Public Law 2017, chapter 81 amends the provision of law that requires a firearms dealer who sells, lets or loans a firearm to make a copy of the form the dealer must keep pursuant to federal law and to show that copy to a law enforcement officer or prosecuting attorney as follows.

1. It removes the requirement that a dealer make a state copy of that federal form.
2. It requires a dealer to show to or allow inspection of that federal form by a state law enforcement officer or prosecuting attorney upon presentation of a formal written request for inspection stating that the form relates to an active criminal investigation.