

MAINE STATE LEGISLATURE

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STATE OF MAINE
128TH 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

128TH 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 128th 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 128th 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

This bill prohibits a law enforcement officer from ordering a subordinate officer or other officer under the supervision of the law enforcement officer, pursuant to the authority of a federal law or regulation or executive order of the President of the United States, to seize or confiscate a firearm or firearm accessory or ammunition in the possession of a resident of this State. The bill designates a first violation of the law as a civil violation, punishable by a fine of \$1,000, and a second violation as a Class D crime. The provisions of the bill do not apply to a law enforcement officer who engages in the prohibited conduct if the firearm or firearm accessory or ammunition is being used in the commission of a Class A, Class B or Class C crime or if the law enforcement officer is assisting a federal law enforcement office or agency in conducting an investigative or enforcement action against suspected trafficking in scheduled drugs under the Maine Revised Statutes, Title 17-A, chapter 45 or suspected organized criminal activities.

LD 597 **An Act To Make the Reimbursement Rate for Transfers of Inmates from County Jails Equal to the Federal Reimbursement Rate** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FARRIN B WHITTEMORE R	ONTP	

This bill makes the reimbursement rate for transfers of inmates from a county jail to another county jail or to the Department of Corrections equal to the federal reimbursement rate for housing prisoners, but no less than \$90 per diem per prisoner.

LD 598 **An Act To Strengthen Maine Citizens' Right to Self Defense** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CEBRA R BRAKEY E	ONTP	

This bill removes the requirement that a person who is carrying a concealed handgun without a permit to carry a concealed handgun inform a law enforcement officer of this fact during the course of an arrest, detainment or routine traffic stop.

LD 599 **An Act To Prevent Violence against Emergency Responders** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WARD K ROSEN K	ONTP	

This bill increases the classification of the crimes of assault on an officer, assault on an emergency medical care provider and assault on a firefighter from Class C to Class B crimes. It also extends the application of the hate crime sentencing laws to a defendant who selects the person against whom a crime is committed because of that person's status as a law enforcement officer, emergency medical care provider or firefighter or who selects property to damage because of such status of the owner or occupant of that property.

An amended version of the proposals in this bill was incorporated into the majority report committee amendment to LD 990.