

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 makes a person's failure to report a planned act of terrorism to an appropriate law enforcement agency when the person has knowledge of the plan to perform an act of terrorism a Class E crime.

Committee Amendment "A" (S-114)

This amendment replaces the bill. It creates a new strict liability Class C crime for failure to report a planned act of terrorism. A person is guilty of this crime if the person knows that another person is planning to act with terroristic intent and does not report it to law enforcement.

LD 744 An Act To Create a Permanent Wabanaki Law Enforcement Seat on the Maine Criminal Justice Academy Board of Trustees Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DANA M MAKER J	ONTP OTP-AM	

This bill provides a permanent seat on the Maine Criminal Justice Academy Board of Trustees for a representative of the five Wabanaki tribal governments. The tribal representative must be chosen for a two year term by a process determined by the tribal governments. The process must require that the position rotate among the five tribal governments.

Committee Amendment "A" (H-64)

This amendment is the minority report of the committee. The amendment strikes from the bill the provision that limits to two years the term of the representative of the Wabanaki tribal governments.

This amendment was not adopted.

LD 745 An Act To Prohibit Female Genital Mutilation Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SIROCKI H MAKER J	OTP-AM OTP-AM ONTP OTP-AM	

This bill makes it a Class B crime to perform female genital mutilation on a female person under 18 years of age for nonmedical purposes. The bill also makes it a Class B crime for a parent, guardian or person who has immediate custody of a female person under 18 years of age to consent to or permit female genital mutilation of that female person for nonmedical purposes or for a person to remove the female person from the State for such a procedure. Under the provisions of the bill it is not a defense that the female person, or the parent, guardian or person who has immediate custody of the female person, consented to the procedure but it is a defense that the procedure was done for medical purposes.

Committee Amendment "A" (H-483)

This amendment, which is the majority report of the committee, elevates from Class B to Class A the new crime of performing female genital mutilation on a female person under 18 years of age. The amendment reduces from a Class B to a Class C crime the first offense of a parent, guardian or custodian of the female person under 18 years of age in consenting to or permitting the procedure but retains as a Class B crime any subsequent offenses. The