

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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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 amends the current law regarding victims' rights to enhance and improve the communication between law enforcement agencies and prosecutors and the families of murder victims and missing persons and to increase public awareness of unsolved murder and missing person cases. Specifically, this bill:

1. Requires the Department of Public Safety to establish a publicly accessible website that contains relevant information about open, or unsolved, murder and missing person cases;
2. Requires the law enforcement agency responsible for the investigation of an open murder or missing person case to hold a press conference or issue a press release annually on the anniversary date of the murder or the day the person was reported missing regarding the status of the case, unless the family of the victim requests otherwise;
3. Allows the family of a murder victim or missing person to seek the assistance of an investigative journalism organization and requires the investigating law enforcement agency to cooperate with the organization to the extent that cooperating does not jeopardize the resolution of the case;
4. After a case has been open for at least 10 years, allows the family to require the investigating law enforcement agency to seek help in solving the case from a federal law enforcement agency;
5. Requires at least annual communication by the investigating law enforcement agency and a victim advocate with the family of a murder victim or a missing person regarding the status of the case, unless the family requests otherwise. Any change in status or new information regarding the case must be reported to the family within 14 days; and
6. Requires that personal property that belonged to the murder victim or missing person in the possession of the State be returned to the family of the victim or person if it is determined that the property is not necessary to the investigation or prosecution of the case and requires the family to be notified if any other evidence collected, compiled or produced during the investigation is destroyed or lost.

The actions required by this legislation are intended to be in addition to the rights of and responsibilities to victims and victims' families already in statute.

Committee Amendment "A" (H-340)

This amendment is the minority report of the committee. The amendment replaces the bill and changes the title. The amendment requires the Department of Public Safety to adopt a policy that provides a procedure for a victim of an unsolved crime to request and receive annual updates from the department regarding the status of the investigation of the crime.

This amendment was not adopted.

LD 1401

An Act To Allow Nonviolent Felons To Own Firearms at the Court's Discretion

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T MARTIN J	ONTP	

This bill allows a court to exempt from the prohibition against owning a firearm a person convicted of a Class A, Class B or Class C crime or a similar offense if bodily injury to another person was not threatened and did not result and the court determines that the person does not pose a threat to public safety.