

MAINE STATE LEGISLATURE

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STATE OF MAINE
129TH 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 2019

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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 129th 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 129th Legislature is Thursday, September 19, 2019. 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 306 **Resolve, Requiring the Department of Public Safety To Study and Determine What Constitutes a Violation of Air Space by a Drone** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ZEIGLER S	ONTP	

This resolve requires the Department of Public Safety to study and determine what constitutes a violation of air space by a drone and to report the results of the study to the Joint Standing Committee on Criminal Justice and Public Safety by December 4, 2019.

LD 316 **An Act To Protect Vulnerable Persons from Theft** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARNEY A CYRWAY S	OTP-AM OTP-AM	H-297

This bill makes the crime of theft by deception when the victim is 66 years of age or older at the time of the offense a Class B crime.

Committee Amendment "A" (H-297)

This amendment is the majority report of the committee. The amendment replaces the bill and provides a new title. The amendment defines "vulnerable person" by reference to the definitions of "dependent adult" in the Maine Revised Statutes, Title 22, section 3472, subsection 6 and "incapacitated adult" in Title 22, section 3472, subsection 10. The amendment designates the following types of theft or fraud as Class B crimes if the owner of the property is a vulnerable person: theft by unauthorized taking or transfer, theft by deception, theft by misapplication of property and misuse of entrusted property. The amendment includes an appropriations and allocations section.

Committee Amendment "B" (H-298)

This amendment is the minority report of the committee. The amendment replaces the bill. The amendment defines "vulnerable person" by reference to the definitions of "dependent adult" in the Maine Revised Statutes, Title 22, section 3472, subsection 6 and "incapacitated adult" in Title 22, section 3472, subsection 10. The amendment elevates the class of the following crimes of theft or fraud by one class, up to a maximum of Class B, if the owner of the property is a vulnerable person: theft by unauthorized taking or transfer, theft by deception, theft by misapplication of property and misuse of entrusted property. The amendment includes an appropriations and allocations section.

This amendment was not adopted.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.