

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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STATE OF MAINE

129TH 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 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

injured person, a person acting for the injured person or a law enforcement officer. A person who fails to comply commits a Class C crime.

Committee Amendment "A" (S-65)

This amendment replaces the bill and provides a new title. The amendment requires the owner or keeper of a dog that assaults a person and causes an injury that requires medical attention to secure aid for the injured person, contain the dog, if necessary, and provide the owner's or keeper's name, current address and contact information to the injured person, a person acting for the injured person or a law enforcement officer before the owner or keeper may leave the scene of the assault. A violation of the section is a Class D crime.

Enacted Law Summary

Public Law 2019, chapter 134 requires the owner or keeper of a dog that assaults a person and causes an injury that requires medical attention to secure aid for the injured person, contain the dog, if necessary, and provide the owner's or keeper's name, current address and contact information to the injured person, a person acting for the injured person or a law enforcement officer before the owner or keeper may leave the scene of the assault. A violation of the law is a Class D crime.

LD 516 An Act To Establish a Statewide Voluntary Firearm Collection Day and Ongoing Program ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BROOKS H	ONTP	

This bill directs the Commissioner of Public Safety to design, implement and administer a statewide voluntary firearm collection day, the purpose of which is to provide to any person an annual, one-day opportunity to voluntarily turn over any firearm or ammunition in the person's possession to a law enforcement officer at a number of sites conveniently located throughout the State.

The commissioner is also required to facilitate the establishment of a year-round voluntary firearm collection program administered by the Bureau of State Police that, at a minimum, is designed to provide to any person the opportunity to voluntarily turn over any firearm or ammunition in the person's possession to a state police officer at any facility or function of the Bureau of State Police to which members of the public are regularly allowed admission.

The commissioner is directed to provide technical assistance and, as necessary and as resources allow, financial assistance to municipal and county law enforcement agencies that elect to participate in the voluntary firearm collection day or elect to establish an ongoing local voluntary firearm collection program. A person may not be charged a fee to turn over a firearm or ammunition to a law enforcement officer during the collection day or through a collection program and is required only to provide the law enforcement officer the person's name, mailing address and telephone number. Firearms and ammunition collected are to be destroyed, except for those firearms determined to have been stolen or used in the commission of a criminal act or that are otherwise sought as evidence in a criminal investigation or prosecution.

LD 533 An Act To Eliminate the Statutory Duty To Retreat and Affirm the Right of Self-defense Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ANDREWS J BLACK R	ONTP OTP-AM	

Joint Standing Committee on Criminal Justice and Public Safety

This bill removes the requirements that a person retreat if it is safe to do so and if the person can comply with a demand that the person abstain from performing an act that the person is not obliged to perform. The bill also permits the use of deadly force to prevent death or serious bodily injury in self-defense, in defense of a 3rd person, in defense of a dwelling or to prevent the forcible commission of a kidnapping, a robbery or a gross sexual assault.

Committee Amendment "A" (H-501)

This amendment, which is the minority report of the committee, incorporates a fiscal note.

This amendment was not adopted.

LD 548 An Act Regarding Charging a Person under 18 Years of Age with the PUBLIC 131
Crime of Engaging in Prostitution

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DIAMOND B	OTP-AM ONTP	S-48

This bill prohibits minors from being charged with the crime of engaging in prostitution.

Committee Amendment "A" (S-48)

This amendment, which is the majority report of the committee, changes the title of the bill and conforms the reference to a person's age to the drafting standards of the Maine Criminal Code.

Enacted Law Summary

Public Law 2019, chapter 131 limits the persons who may be charged with engaging in prostitution to persons who are 18 years of age or older.

LD 608 An Act To Provide Funding for a Correctional Facility in Downeast CARRIED OVER
Maine

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MOORE M TUELL W		

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to provide funding to establish a correctional facility in the eastern coastal region of Maine in Washington and Hancock counties.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 628 An Act To Ensure Comprehensive Access to Menstrual Products in All PUBLIC 139
Maine's Jails, County Correctional Facilities and State Correctional and
Detention Facilities

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WARREN C DESCHAMBAULT S	OTP-AM ONTP	H-176