

MAINE STATE LEGISLATURE

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STATE OF MAINE
125TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON CRIMINAL JUSTICE
AND PUBLIC SAFETY**

July 2011

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LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 125th 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. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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 125th Legislature is September 28, 2011. 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 963 **An Act To Ensure Humane Treatment for Special Management Prisoners** **ONTP**

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

This bill is a concept draft pursuant to Joint Rule 208. The bill proposes to reduce the use of special management units by the Department of Corrections and to reduce the length of time that prisoners in the custody of the Department of Corrections are confined in special management units. It also proposes to provide a mechanism for a person who is confined in a special management unit for more than 30 days to have that person's case reviewed by an independent third party.

LD 966 **An Act Regarding the Use of Methadone by Operators of Commercial Motor Vehicles** **PUBLIC 455**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRAHAM DIAMOND	OTP-AM MAJ ONTP MIN	H-254 S-352 ROSEN R

This bill amends the violations provisions in the commercial motor carrier statutes to prohibit the operation of a commercial motor vehicle by a person who has methadone or its metabolite in that person's body and makes a violation of the prohibition a Class E crime. Maine has partially adopted the Federal Motor Safety Regulations at this time but has not yet adopted the regulation regarding committing a violation while driving with methadone in the body. Adoption of this prohibition would conform Maine law to federal law.

Committee Amendment "A" (H-254)

This amendment is the majority report of the Joint Standing Committee on Criminal Justice and Public Safety and adds an appropriations and allocations section.

Senate Amendment "A" To Committee Amendment "A" (S-352)

This amendment replaces the appropriations and allocations section and establishes a July 1, 2012 effective date.

Enacted Law Summary

Public Law 2011, chapter 455 amends the violations provisions in the commercial motor carrier statutes to prohibit the operation of a commercial motor vehicle by a person who has methadone or its metabolite in that person's body and makes a violation of the prohibition a Class E crime.

Public Law 2011, chapter 455 is effective July 1, 2012.