

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH LEGISLATURE
SECOND REGULAR SESSION



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

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

May 2016

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STATE OF MAINE

127TH LEGISLATURE

SECOND REGULAR SESSION



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 Second Regular Session of the 127th 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 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 127th Legislature is July 29, 2016. 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

Committee Amendment "A" (S-379)

This amendment replaces the bill and changes the title. Current law allows a criminal justice agency to disclose intelligence and investigative record information to a sexual assault counselor or an advocate for victims of domestic or family violence if a specific agreement exists between the counselor or advocate and the agency and the agreement contains terms provided in the statute. The amendment repeals these provisions and instead places into law a list of requirements that must be met by a sexual assault counselor or an advocate that receives intelligence and investigative record information from a criminal justice agency.

Enacted Law Summary

Public Law 2015, chapter 411 amends the law on disclosure of intelligence and investigative record information to a sexual assault counselor or an advocate for victims of domestic or family violence. Current law requires for disclosure that a specific agreement exist between the counselor or advocate and the agency and that the agreement contains terms provided in the statute. Public Law 2015, chapter 411 repeals these provisions and instead places into law a list of requirements that must be met by a sexual assault counselor or an advocate in order to receive intelligence and investigative record information from a criminal justice agency.

LD 1529

An Act Regarding the Application Fees and Inspection Fees Associated with the Provision of Amusement Rides

**PUBLIC 421
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROSEN K	OTP-AM	S-382

This bill is a concept draft pursuant to Joint Rule 208.

It proposes to review and change, if necessary, the application fees and inspection fees charged by the Department of Public Safety for amusement rides set forth in the Maine Revised Statutes, Title 8, chapter 18.

Committee Amendment "A" (S-382)

This amendment replaces the bill, adds an emergency preamble and emergency clause and makes the following changes to the law regarding the inspection of amusement rides and amusement devices.

1. It removes the \$100 application fee for the inspection of amusement rides.
2. It changes the inspection fee for amusement rides and amusement devices from \$75 per hour per ride or device to a \$100 flat fee per amusement ride or amusement device.
3. It provides that if an amusement ride or amusement device is not available for inspection at the time the Office of the State Fire Marshal conducts its inspections, the owner or operator must still pay the \$100 inspection fee and an additional \$100 per amusement ride or amusement device each time an inspector must return to inspect a ride or device that was not available for inspection during the prior inspection.
4. It exempts a bounce house or other similar inflatable structures from the inspection requirement imposed on amusement rides and amusement devices.

Enacted Law Summary

Public Law 2015, chapter 421 makes the following changes to the law regarding the inspection of amusement rides and amusement devices.

1. It removes the \$100 application fee for the inspection of amusement rides.

Joint Standing Committee on Criminal Justice and Public Safety

2. It changes the inspection fee for amusement rides and amusement devices from \$75 per hour per ride or device to a \$100 flat fee per amusement ride or amusement device.

3. It provides that if an amusement ride or amusement device is not available for inspection at the time the Office of the State Fire Marshal conducts its inspections, the owner or operator must still pay the \$100 inspection fee and an additional \$100 per amusement ride or amusement device each time an inspector must return to inspect a ride or device that was not available for inspection during the prior inspection.

4. It exempts a bounce house or other similar inflatable structures from the inspection requirement imposed on amusement rides and amusement devices.

Public Law 2015, chapter 421 was enacted as an emergency measure effective March 31, 2016.

LD 1534 An Act To Reduce the Trafficking of Illegal Drugs in the State

**Died On
Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BURNS D	OTP-AM OTP-AM	S-371

This bill establishes the Maine State Police Drug Interdiction Unit in the Department of Public Safety, Bureau of State Police to conduct drug trafficking patrols on state roads and ways and at access points to the State to prevent the trafficking of illegal drugs in the State. The drug interdiction unit consists of at least three state police officers and a supervising state police officer, all of whom must have training and experience in illegal drug interdiction techniques.

Committee Amendment "A" (S-371)

This amendment is the majority report of the committee. This amendment provides funding for three State Police Trooper positions, one State Police Sergeant position and related costs for the Maine State Police Drug Interdiction Unit in the Department of Public Safety, Bureau of State Police.

Committee Amendment "B" (S-372)

This amendment is the minority report of the committee. This amendment specifies that the Maine State Police Drug Interdiction Unit in the Department of Public Safety, Bureau of State Police must be established using existing resources and vacant positions within the Maine State Police.

This amendment was not adopted.

**LD 1536 An Act To Provide Ballistic Vests to State Law Enforcement Officers
and Certain Other State Agents**

**Died On
Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BURNS D EVES M	OTP-AM OTP-AM	S-428

This bill requires that all active law enforcement officers employed by the State, including game wardens, forest rangers, marine patrol officers and investigative officers and detectives in the Office of the Attorney General, the Department of the Secretary of State and the Department of Corrections, be equipped with well-fitting,