

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
127<sup>TH</sup> 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

127<sup>TH</sup> 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 127<sup>th</sup> 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 127<sup>th</sup> 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**

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,

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contemporary ballistic vests. This bill also requires such vests to be provided for dogs used in law enforcement by the State. The cost of each vest must be paid by the political subdivision of the State employing the law enforcement officer or using the dog. The State is permitted to accept private or public funds to offset the cost of the vests.

### **Committee Amendment "A" (S-428)**

This amendment is the majority report of the committee. It removes juvenile community corrections officers from the list of positions in which individuals must be issued ballistic vests. It also limits the application of the bill to individuals employed by the State.

### **Committee Amendment "B" (S-429)**

This amendment is the minority report of the committee. It adds security screeners in the State Capitol Building to the list of positions in which individuals must be issued ballistic vests. It also limits the application of the bill to individuals employed by the State. This amendment was not adopted.

### **LD 1540 An Act To Protect All Students in Elementary or Secondary Schools from Sexual Assault by School Officials**

**PUBLIC 509**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CYRWAY S NADEAU C	OTP-AM	S-365

This bill removes the age limit on the victim of the crime of unlawful sexual contact, unlawful sexual touching or gross sexual assault when the victim is a student at an elementary, secondary or special education school and the actor is a person at the school who has authority over the student.

Additionally, this bill specifies that a parent convicted of the crime of unlawful sexual contact, unlawful sexual touching or gross sexual assault is subject to stricter scrutiny by the court when it determines residence for and contact with a child of the parent when the victim was a student at an elementary, secondary or special education school and the parent was a person at the school who had authority over the student.

### **Committee Amendment "A" (S-365)**

This amendment removes those sections of the bill that remove the age limit on the victim of the crime of unlawful sexual contact and unlawful sexual touching when the victim is a student at an elementary, secondary or special education school and the actor is a person at the school who does not have authority over the student.

### **Enacted Law Summary**

Public Law 2015, chapter 509 removes the age limit on the victim of the crime of unlawful sexual contact, unlawful sexual touching or gross sexual assault when the victim is a student at an elementary, secondary or special education school and the actor is a person at the school who has authority over the student.

Public Law 2015, chapter 509 also specifies that a parent convicted of the crime of unlawful sexual contact, unlawful sexual touching or gross sexual assault is subject to stricter scrutiny by the court when it determines residence for and contact with a child of the parent when the victim was a student at an elementary, secondary or special education school and the parent was a person at the school who had authority over the student.