

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

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

**STAFF:**

JANE ORBETON, SENIOR LEGISLATIVE ANALYST  
CURTIS BENTLEY, LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670  
<http://legislature.maine.gov/legis/opla>

**MEMBERS:**

SEN. KIMBERLEY C. ROSEN, CHAIR  
SEN. DAVID C. BURNS  
SEN. STAN GERZOFKY

REP. LORI A. FOWLE, CHAIR  
REP. MICHEL A. LAJOIE  
REP. JUSTIN M. CHENETTE  
REP. CATHERINE M. NADEAU  
REP. JAMES E. DAVITT  
REP. CHARLOTTE WARREN  
REP. RICKY D. LONG  
REP. KAREN A. GERRISH  
REP. TIMOTHY S. THERIAULT  
REP. MICHAEL J. TIMMONS

# 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*

**LD 1674    An Act To Create Community Substance Abuse Programs**

**INDEF PP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROSEN K		

This bill was not referred to committee.

This bill does the following.

1. It requires a court to sentence a person who is convicted of unlawful possession of a scheduled drug to a definite term of imprisonment and to suspend all of the sentence if the person has no prior convictions for certain drug-related offenses or other specified crimes, such as assault or sexual assault. The person must be sentenced to a definite term of probation with the condition that the person successfully complete a community substance abuse program.
2. It specifies that probation may be imposed for a Class D or Class E crime of unlawful possession of a scheduled drug.
3. It requires each county sheriff to establish a community substance abuse program at that sheriff's regional or county jail. Programs are administered by the counties and must meet certification standards established by the Department of Corrections by rule.
4. It establishes the Community Substance Abuse Fund to annually reimburse counties for the cost of the community substance abuse programs that meet the department's certification requirements. A person participating in a program must comply with certain requirements in order to successfully complete the program, including submitting to electronic monitoring and daily testing for illegal drug and alcohol use, and must participate in the program for 12 months. If a person fails to successfully complete the program, the court is required to revoke the probation for that person and that person must serve the unsuspended portion of the sentence in the custody of the Department of Corrections.

**LD 1683    An Act To Increase Penalties for the Use of Violence against Firefighters**

**PUBLIC 471**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CYRWAY S LUCHINI L	ONTP OTP-AM	S-472

This bill establishes the Class C crime of assault on a firefighter and specifies that the current crime of assault on an emergency medical care provider does not apply to a firefighter.

**Committee Amendment "A" (S-472)**

This amendment incorporates a fiscal note.

**Enacted Law Summary**

Public Law 2015, chapter 471 establishes the Class C crime of assault on a firefighter and specifies that the current crime of assault on an emergency medical care provider does not apply to a firefighter.