MAINE STATE LEGISLATURE

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STATE OF MAINE

128TH 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 2017

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128TH LEGISLATURE

FIRST 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 First Regular Session of the 128th 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 128th Legislature is Wednesday, November 1, 2017. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Enacted Law Summary

Public Law 2017, chapter 99 provides the same exception for OUI drug suspensions that is currently in effect for OUI alcohol suspensions. Current law allows a defendant to receive credit for an OUI alcohol administrative suspension already served from the Secretary of State upon receipt of a court suspension. Because there is a lag between the time the court orders the suspension and the Secretary of State applies the credit for the administrative suspension, current law provides an exception that allows the court to stay the license suspension for up to seven days. This law allows OUI drug suspension credits on the same terms as OUI alcohol suspension credits.

LD 671   **An Act To Allow for Accurate Credit for a License Suspension for Operating under the Influence**   **PUBLIC 107**

Sponsor(s)	Committee Report	Amendments Adopted
KATZ R	OTP	
CAMPBELL R		

This bill provides that if the Secretary of State administratively suspends a person's license for operating a motor vehicle with an excessive alcohol level or for operating a motor vehicle under the influence of drugs, the amount of time the license was administratively suspended must be deducted when suspending that person's license after a conviction.

Enacted Law Summary

Public Law 2017, chapter 107 provides that if the Secretary of State administratively suspends a person's license for operating a motor vehicle with an excessive alcohol level or for operating a motor vehicle under the influence of drugs, the amount of time the license was administratively suspended must be deducted when suspending that person's license after a conviction.

LD 676   **Resolve, To Study the Development of a Behavioral Health Unit at the Cumberland County Jail**   **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
FARNSWORTH R	ONTP	
CHIPMAN B	OTP	

This resolve directs the Department of Health and Human Services, the Department of Corrections and the Cumberland County Sheriff's Office to jointly study and recommend a proposal for the development of a behavioral health unit at the Cumberland County Jail to provide support such as substance abuse and mental health services and a diversion program to allow for the rehabilitation of prisoners with behavioral issues. This resolve directs the Department of Health and Human Services, the Department of Corrections and the Cumberland County Sheriff's Office to submit the results of the study along with recommendations to the Joint Standing Committee on Health and Human Services and the Joint Standing Committee on Criminal Justice and Public Safety, who may report out legislation to the Second Regular Session of the 128th Legislature.

LD 721   **An Act To Mandate the Reporting of a Planned Act of Terrorism by a Person with Knowledge of That Plan**   **Veto Sustained**

Sponsor(s)	Committee Report	Amendments Adopted
KATZ R	OTP-AM	S-114