

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
129<sup>TH</sup> 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 2019

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# STATE OF MAINE

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## 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 129<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 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 129<sup>th</sup> Legislature is Thursday, September 19, 2019. 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*

This bill amends the portions of the Maine Criminal Code pertaining to statutes of limitations to remove statutes of limitations governing the prosecution of Class A, Class B or Class C crimes involving incest; unlawful sexual contact; sexual abuse of a minor; or rape or gross sexual assault, formerly denominated as gross sexual misconduct. These changes apply only to those sexual crimes committed on or after the effective date of this legislation or for which the prosecution has not yet been barred by the statute of limitations in force immediately prior to the effective date of this legislation.

**LD 342**      **An Act To Require a Person To Notify Law Enforcement Officers of the Possession of a Hypodermic Needle**      **ONTP**

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

This bill establishes the failure to inform a law enforcement officer of a person's possession of a hypodermic apparatus as a Class D crime. Under the bill, if a person discloses the possession of a hypodermic apparatus as required, the hypodermic apparatus and any contents of the apparatus are inadmissible as evidence in a prosecution for a violation of the Maine Revised Statutes, Title 17-A, chapter 45.

**LD 353**      **An Act Regarding the Safety of Recovery Residences**      **PUBLIC 358**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FECTEAU J	OTP-AM	H-577

This bill requires a recovery residence located in a house to be considered a one-family dwelling under rules concerning safety to life from fire if the recovery residence has no more than six occupants and contains a fire extinguisher and smoke detector in each room. This bill also defines "recovery residence" as an alcohol-free and illegal substance-free shared living residence for persons recovering from substance use disorder that provides peer support and connects residents to support services and community resources.

**Committee Amendment "A" (H-577)**

This amendment replaces the bill and provides a new title. The amendment provides an exception to the rules for life safety code requirements for recovery residences that are certified by a nationally recognized organization that supports persons recovering from substance use disorder and that meet other listed criteria. The amendment defines a recovery residence as a shared living residence for persons recovering from substance use disorder that is focused on peer support, provides to its residents an environment free of alcohol and illegal drugs and assists its residents by connecting the residents to support services or resources in the community that are available to persons recovering from substance use disorder.

**Enacted Law Summary**

Public Law 2019, chapter 358 provides an exception to the rules for life safety code requirements for recovery residences that are certified by a nationally recognized organization that supports persons recovering from substance use disorder and that meet other listed criteria. The law defines a recovery residence as a shared living residence for persons recovering from substance use disorder that is focused on peer support, provides to its residents an environment free of alcohol and illegal drugs and assists its residents by connecting the residents to support services or resources in the community that are available to persons recovering from substance use disorder.