

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

SECOND SPECIAL SESSION
June 19, 2018 to September 13, 2018

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
DECEMBER 13, 2018

ONE HUNDRED AND TWENTY-NINTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2018 to June 20, 2019

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 2019

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2019

Sec. 8. Appropriations and allocations. The following appropriations and allocations are made.

SECRETARY OF STATE, DEPARTMENT OF Elections and Commissions 0693

Initiative: Provides one-time funding for computer programming costs to scan automatic voter registration information and transfer pending voter registration applications to the central voter registration system.

FEDERAL EXPENDITURES FUND	2019-20	2020-21
All Other	\$0	\$140,000
FEDERAL EXPENDITURES	\$0	\$140,000
FUND TOTAL		

Sec. 9. Effective date. That section of this Act that amends the Maine Revised Statutes, Title 21-A, section 155, first paragraph takes effect January 1, 2020. Those sections of this Act that amend Title 21-A, section 122-A, section 129, first paragraph and section 152, subsection 1 and that section of this Act that enacts Title 21-A, chapter 3, subchapter 9 take effect January 1, 2022. That section of this Act that repeals and replaces Title 21-A, section 195 takes effect January 1, 2023.

See title page for effective date, unless otherwise indicated.

CHAPTER 410

H.P. 1077 - L.D. 1475

An Act To Eliminate Profiling in Maine

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 5 MRSA §200-K is enacted to read:

§200-K. Attorney General procedures and programs to eliminate profiling

1. Complaints. The Attorney General shall implement procedures for receiving, investigating and responding to complaints alleging profiling by law enforcement officers or law enforcement agencies.

2. Rules. In consultation with interested parties, including law enforcement agencies and community, professional, research, civil liberties and civil rights organizations, the Attorney General may adopt rules for the operation of administrative complaint procedures and independent audit programs to ensure that programs and procedures provide an appropriate response to allegations of profiling by law enforcement

officers or law enforcement agencies. Rules may contain guidelines and ensure the fairness, effectiveness and independence of the administrative complaint procedures and independent auditor programs. Rules adopted pursuant to this subsection are routine technical rules as defined in chapter 375, subchapter 2-A.

Sec. 2. 25 MRSA §2803-B, sub-§1, ¶E, as enacted by PL 1993, c. 744, §5, is amended to read:

E. Hate or bias crimes. A policy adopted under this paragraph must include a policy statement that prohibits stops, detentions, searches or asset seizures and forfeitures efforts based on race, ethnicity, gender, sexual orientation, gender identity, religion, socioeconomic status, age, national origin or ancestry by members of the law enforcement agency, states that individuals may be stopped or detained only when legal authority exists to do so and states that members of the law enforcement agency must base their enforcement actions solely on an individual's conduct and behavior or specific suspect information;

Sec. 3. 25 MRSA §2804-C, sub-§2-E is enacted to read:

2-E. Training regarding bias-based profiling. The board shall include in the basic law enforcement training program a block of instruction aimed specifically at the prohibition of bias-based profiling that prohibits stops, detentions, searches or asset seizures and forfeitures efforts based on race, ethnicity, gender, sexual orientation, gender identity, religion, socioeconomic status, age, national origin or ancestry by members of a law enforcement agency, that provides that individuals may be stopped or detained only when legal authority exists to do so and that provides that members of a law enforcement agency must base their enforcement actions solely on an individual's conduct and behavior or specific suspect information.

Sec. 4. Collection and compilation of data on profiling. The Attorney General, in consultation with interested parties, including law enforcement agencies and community, professional, research, civil liberties and civil rights organizations, shall explore available techniques for the collection and compilation of profiling data and shall report findings and recommendations to the Joint Standing Committee on Judiciary no later than March 15, 2020. The joint standing committee may report out legislation based on the recommendations to the Second Regular Session of the 129th Legislature.

See title page for effective date.