

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

ADMINISTRATIVE AND
FINANCIAL SERVICES,
DEPARTMENT OF

DEPARTMENT TOTALS	2019-20	2020-21
GENERAL FUND	\$11,000	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$11,000	\$0

HEALTH AND HUMAN SERVICES,
DEPARTMENT OF

Maine Children's Cancer Research Fund N321

Initiative: Provides initial allocation for any revenue received from the income tax checkoff.

OTHER SPECIAL REVENUE FUNDS	2019-20	2020-21
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

HEALTH AND HUMAN
SERVICES,
DEPARTMENT OF

DEPARTMENT TOTALS	2019-20	2020-21
OTHER SPECIAL REVENUE FUNDS	\$500	\$500
DEPARTMENT TOTAL - ALL FUNDS	\$500	\$500

SECTION TOTALS	2019-20	2020-21
GENERAL FUND	\$11,000	\$0
OTHER SPECIAL REVENUE FUNDS	\$500	\$500
SECTION TOTAL - ALL FUNDS	\$11,500	\$500

See title page for effective date.

CHAPTER 434
S.P. 378 - L.D. 1216

An Act To Support
Community Schools

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

Sec. 1. 20-A MRSA §9923, as enacted by PL 2015, c. 267, Pt. GGG, §1, is amended to read:

§9923. Designation of community schools

The department is authorized to designate 3 community schools established in accordance with this chapter as part of a 5-year pilot project beginning in the 2016-2017 school year. For the 2020-2021 school year, the department is authorized to designate 5 community schools established in accordance with this chapter. Beginning in the 2021-2022 school year, the department may biannually designate 10 additional community schools established in accordance with this chapter. The department shall annually inform school administrative units of the application process and deadlines and make that information and appropriate forms available on its publicly accessible website. The commissioner shall provide state funding to the school administrative units in which the designated community schools are located and may employ a state community school coordinator to implement this pilot project designation program. Annual state allocations for this pilot project may not exceed \$150,000.

~~This section is repealed July 1, 2021.~~

Sec. 2. 20-A MRSA §15689-A, sub-§25, as amended by PL 2017, c. 284, Pt. C, §54, is further amended to read:

25. **Community schools.** The commissioner may expend and disburse funds for the establishment of community schools in accordance with the provisions of chapter 333 and shall apply for available federal funds in support of community school implementation and expansion.

~~This subsection is repealed July 1, 2021.~~

Sec. 3. **Appropriations and allocations.** The following appropriations and allocations are made.

EDUCATION, DEPARTMENT OF
Community Schools Program N317

Initiative: Provides base allocations for federal funding to support the implementation and expansion of community schools.

FEDERAL EXPENDITURES FUND	2019-20	2020-21
All Other	\$500	\$500

FEDERAL EXPENDITURES	\$500	\$500
FUND TOTAL		

See title page for effective date.

CHAPTER 435

H.P. 879 - L.D. 1219

An Act To Establish an Independent Panel To Review the Use of Deadly Force by Law Enforcement Officers

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. Deadly Force Review Panel

There is created, within the Office of the Attorney General, the Deadly Force Review Panel, referred to in this section as "the panel." The panel must, to the extent practicable, include members that reflect the diversity of Maine's racial, gender, indigenous and tribal demographics.

1. Composition. The panel is composed of 15 members as follows:

- A. The Commissioner of Public Safety, ex officio;
- B. The director of investigations for the Office of the Attorney General, ex officio;
- C. The Director of the Maine Criminal Justice Academy, ex officio;
- D. The Chief Medical Examiner, ex officio;
- E. An attorney who represents plaintiffs in actions under 42 United States Code, Section 1983 appointed by the Attorney General;
- F. A municipal police chief appointed by the Attorney General;
- G. A county sheriff appointed by the Attorney General;
- H. A mental health professional appointed by the Attorney General;
- I. A representative of a statewide collective bargaining organization for law enforcement employees appointed by the Attorney General;
- J. A representative of a statewide civil rights organization whose primary mission is related to racial justice appointed by the Attorney General;

K. An attorney who represents defendants in actions under 42 United States Code, Section 1983 appointed by the Attorney General;

L. A criminal prosecutor appointed by the Attorney General; and

M. Three citizens, each of whom is not and has never been a sworn law enforcement officer, appointed by the Attorney General.

2. Designees; terms of office. An ex officio member of the panel may appoint a designee to represent the ex officio member on the panel for one or more meetings. A designee, once appointed, qualifies as a full voting member of the panel and may hold office and enjoy all the other rights and privileges of full membership on the panel. The appointed members of the panel serve for a term of 3 years. Any vacancy on the panel must be filled in the same manner as the original appointment for the unexpired term.

3. Meetings; officers. The Attorney General shall call the first meeting before January 1, 2020. The panel shall organize initially and annually thereafter by electing a chair and a vice-chair from among its members. The vice-chair shall also serve as secretary. The panel shall meet at such time or times as may be reasonably necessary to carry out its duties, but it shall meet at least once in each calendar quarter at such place and time as the panel determines and it shall meet at the call of the chair.

4. Powers and duties. The panel shall examine deaths or serious injuries resulting from the use of deadly force by a law enforcement officer after the Attorney General has completed the investigation of the use of deadly force under section 200-A. The purpose of such examinations is to identify whether there was compliance with accepted and best practices under the particular circumstances and whether the practices were sufficient for the particular circumstances or whether the practices require adjustment or improvement. The panel shall recommend methods of improving standards, including changes to statutes, rules, training, policies and procedures designed to ensure incorporation of best practices that demonstrate increased public safety and officer safety.

5. Access to information and records. In any case subject to review by the panel, unless prohibited by federal law and notwithstanding any provision of law to the contrary, upon oral or written request of the panel, any person who possesses information or records that are necessary and relevant to a panel review shall as soon as practicable provide the panel with the information and records. Persons disclosing or providing information or records upon request of the panel are not criminally or civilly liable for disclosing or providing information or records in compliance with this subsection. The panel in its discretion may consult with content experts or other professionals and