

# MAINE STATE LEGISLATURE

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*State Of Maine  
122nd Legislature*

*Second Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Criminal Justice and Public Safety*

*July 2006*

**Members:**

*Sen. Bill Diamond, Chair  
Sen. John M. Nutting  
Sen. Dean F. Clukey*

*Rep. Patricia A. Blanchette, Chair  
Rep. Stan Gerzofsky  
Rep. Carol A. Grose*

*Rep. Rosaire "Ross" Paradis, Jr.  
Rep. Stephen P. Hanley  
Rep. Richard M. Sykes  
Rep. John W. Churchill  
Rep. Christian D. Greeley  
Rep. Kimberly J. Davis  
Rep. Gary E. Plummer*

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# Maine State Legislature



## Office of Policy and Legal Analysis Office of Fiscal and Program Review

### 122nd Maine Legislature Second Regular Session

#### Summary of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills considered by the committees. It is arranged alphabetically by committee name and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet ([www.state.me.us/legis/opla/billsumm.htm](http://www.state.me.us/legis/opla/billsumm.htm)).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

CON RES XXX.....	Chapter # of Constitutional Resolution passed by both Houses
CONF CMTE UNABLE TO AGREE.....	Committee of Conference unable to agree; bill died
DIED BETWEEN BODIES.....	House & Senate disagree; bill died
DIED IN CONCURRENCE.....	One body accepts ONTP report; the other indefinitely postpones the bill
DIED ON ADJOURNMENT.....	Action incomplete when session ended; bill died
EMERGENCY.....	Enacted law takes effect sooner than 90 days
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE.....	Emergency bill failed to get 2/3 vote
FAILED ENACTMENT/FINAL PASSAGE.....	Bill failed to get majority vote
FAILED MANDATE ENACTMENT.....	Bill imposing local mandate failed to get 2/3 vote
NOT PROPERLY BEFORE THE BODY.....	Ruled out of order by the presiding officers; bill died
INDEF PP.....	Bill Indefinitely Postponed
ONTP.....	Ought Not To Pass report accepted
OTP-ND.....	Committee report Ought To Pass In New Draft
P&S XXX.....	Chapter # of enacted Private & Special Law
PASSED.....	Joint Order passed in both bodies
PUBLIC XXX.....	Chapter # of enacted Public Law
RESOLVE XXX.....	Chapter # of finally passed Resolve
UNSIGNED (Pocket Veto).....	Bill held by Governor
VETO SUSTAINED.....	Legislature failed to override Governor's Veto

Please note that the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is August 23, 2006.

## *Joint Standing Committee on Criminal Justice and Public Safety*

regarding a juvenile against whom a petition has not been filed applies also to those juveniles against whom a petition may be filed without a recommendation from a juvenile community corrections officer.

Public Law 2005, chapter 507 adds to the Juvenile Code a cross-reference to a Criminal Code restitution provision that was recently enacted regarding joint and several responsibility, as joint and several responsibility also applies to restitution in juvenile cases.

Public Law 2005, chapter 507 adds a cross-reference in the fine provision of the Maine Juvenile Code to a recently enacted juvenile crime law and clarifies that mandatory minimum fine provisions are not applicable to juveniles.

Public Law 2005, chapter 507 clarifies in Title 17-A that when the running of the period of probation is tolled due to pending probation violation proceedings, the conditions of probation continue to apply during the tolled period.

Public Law 2005, chapter 507 codifies in Title 17-A the Law Court's ruling that when there are consecutive sentences, detention time can only be counted once; this interpretation also applies to probation revocations.

**LD 1781**

### **An Act To Require Mandatory Training for Law Enforcement Officers and Prosecutors Regarding Interaction with People with Developmental Disabilities, Including Autism Spectrum Disorders**

**ONTP**

Sponsor(s)  
BARTLETT

Committee Report  
ONTP

Amendments Adopted

LD 1781 proposed to require the Board of Trustees of the Maine Criminal Justice Academy to include in the basic law enforcement mandatory training and the next available schedule of recertification training for law enforcement officers a block of instruction aimed at identifying and safely interacting with persons with developmental disabilities, reducing barriers to reporting crimes against people with developmental disabilities and addressing the challenges posed by cases that involve persons with developmental disabilities. The bill also proposed to require prosecutors to annually complete one hour of continuing legal education covering the same topics.

Although LD 1781 did not pass, the Maine Criminal Justice Academy plans to incorporate the training for law enforcement officers proposed in the bill into its curriculum. The joint standing committee having jurisdiction over criminal justice and public safety matters also anticipates a report back from a work group convened by the Maine Developmental Disabilities Council. The work group will include advocates and providers for persons with developmental disabilities. The group will share with the 123rd Legislature its recommendations regarding developing and implementing policy for training of law enforcement officers, other criminal justice and public safety officials and health care providers to help ensure equal access to and protection within the criminal justice and public safety systems for persons with developmental disabilities.