

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

**STATE OF MAINE**  
124<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the First Regular Session of the 124<sup>th</sup> Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON CRIMINAL JUSTICE  
AND PUBLIC SAFETY**

July 2009

**STAFF:**

MARION HYLAN BARR, SENIOR ANALYST  
ANNA T. BROOME, LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670

**MEMBERS:**

SEN. STAN GERZOFSKY, CHAIR  
SEN. JOHN M. NUTTING  
SEN. GERALD M. DAVIS

REP. ANNE M. HASKELL, CHAIR  
REP. STEPHEN P. HANLEY  
REP. WALTER A. WHEELER  
REP. JAMES M. SCHATZ  
REP. MICHEL A. LAJOIE  
REP. VERONICA MAGNAN  
REP. RICHARD M. SYKES  
REP. CHRISTIAN D. GREELEY  
REP. GARY E. PLUMMER  
REP. DAVID C. BURNS

# STATE OF MAINE

124<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 124<sup>th</sup> Maine Legislature.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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:

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; 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; bill died
ONTP (or Accepted ONTP report).....	Ought Not To Pass report accepted; bill died
P&S XXX.....	Chapter # of enacted Private & Special Law
PUBLIC XXX.....	Chapter # of enacted Public Law
RESOLVE XXX.....	Chapter # of finally passed Resolve
UNSIGNED.....	Bill held by Governor
VETO SUSTAINED.....	Legislature failed to override Governor's Veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 124<sup>th</sup> Legislature is September 12, 2009. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

*Joint Standing Committee on Criminal Justice and Public Safety*

**LD 309**      **Resolve, To Direct the Emergency Medical Services' Board To Examine the Licensure Procedures for Emergency Medical Services Persons**      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE NASS R	ONTP	

This bill directs the Emergency Medical Services' Board to examine the procedure by which the board releases information to the public when a licensure request is either accepted or denied to make certain that private and confidential information is not released pursuant to the freedom of access statutes. The board is to report to the Second Regular Session of the 124th Legislature on its findings.

**LD 325**      **An Act To Authorize the Resentencing of Certain Prisoners Who Have Served Consecutive Sentences of 20 or More Years**      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE ROSEN R	ONTP	

This bill authorizes a sentencing court to grant a petition for resentencing that is filed by a person who has served a term of imprisonment of 20 consecutive years or more. The sentencing court may resentence the person if the court finds that there is a release plan for the person and the person has demonstrated rehabilitation and possesses the ability to lead a positive and productive life. At the hearing for determining resentencing, the court may take testimony from the petitioner and hear from witnesses, including victims, personnel from the correctional facility and family. The sentencing court may grant the petition and suspend any part of the sentence not served, sentence the person to a period of probation or other type of supervised release or impose any conditions the court determines are appropriate. If the court denies the petition, the person may repetition the court for resentencing one year after the denial.

**LD 382**      **An Act To Clarify the Meaning of Prudent Speed**      **ONTP**

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

This bill requires a law enforcement officer who cites a driver for imprudent speed to briefly describe on the Uniform Summons and Complaint the reason the officer considered the driver's speed imprudent and what maximum speed the officer would consider prudent.