

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
124TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the First Regular Session of the 124th 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

124TH 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 124th 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 124th 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 1067 **Resolve, To Establish a Blue Ribbon Commission To Study Methods of Protecting Emergency Medical Services Personnel during the Transportation of Persons with Mental Illness** **ONTP**

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

This bill establishes a blue ribbon commission to conduct a study and make recommendations on the issue of emergency medical services personnel and the transportation of people with mental illnesses and specifically address the best way to protect emergency medical services workers with established protocols for the occasions when attacks and threats occur to the personnel and when to use law enforcement intervention and arrest as opposed to using commitment to mental health facilities. The blue ribbon commission shall make a report and recommendations to the Joint Standing Committee on Criminal Justice and Public Safety, which is authorized to introduce a bill on this matter.

LD 1076 **An Act To Create a Statewide Training and Protocol for Responding to Mental Health Crises** **ONTP**

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

This bill requires the Maine Criminal Justice Academy Board of Trustees, the State Fire Marshal and the Emergency Medical Services' Board to establish statewide protocols and a training program for firefighters, law enforcement officers and first responders to ensure that they are trained in serving people with mental illness. Training must include 4 hours of initial training and periodic review, and programs and protocols must be reviewed annually.

LD 1107 **An Act To Promote Personal Financial Responsibility by Allowing a Person To Make Good on Dishonored Checks Prior to the Imposition of Criminal Penalties** **ONTP**

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

This bill creates a new category of the crime of negotiating a worthless instrument. If a person issues or negotiates a negotiable instrument that is not honored, and the intended recipient of the negotiable instrument sends written notice that the instrument was not honored, the person commits a crime if the person does not pay the intended recipient the full amount of the face value of the negotiable instrument, plus fees, within 30 days of receiving that written notice. The notice must be sent by certified mail, return receipt requested. The intent of this new category of the crime is to eliminate the need to prove that the person knew that the negotiable instrument would not be honored at the time it was written. Current law requires proof that the person intentionally issues or negotiates a negotiable instrument knowing that it will not be honored.