

# MAINE STATE LEGISLATURE

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



Summaries of bills, adopted amendments and laws enacted or finally passed

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

July 2011

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125<sup>TH</sup> LEGISLATURE  
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LEGISLATIVE DIGEST OF BILL SUMMARIES AND  
ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 125<sup>th</sup> Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD 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 LD is noted to the right of the LD title. The following describes the various final actions.

*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; legislation died  
*DIED BETWEEN HOUSES*..... House & Senate disagreed; legislation died  
*DIED IN CONCURRENCE*..... defeated in each house, but on different motions; legislation died  
*DIED ON ADJOURNMENT*..... action incomplete when session ended; legislation died  
*EMERGENCY*..... enacted law takes effect sooner than 90 days after session adjournment  
*FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE* ..... emergency failed to receive required 2/3 vote  
*FAILED, ENACTMENT or FINAL PASSAGE*..... failed to receive final majority vote  
*FAILED, MANDATE ENACTMENT* ..... legislation proposing local mandate failed required 2/3 vote  
*HELD BY GOVERNOR*..... Governor has not signed; final disposition to be determined at subsequent session  
*LEAVE TO WITHDRAW*..... sponsor's request to withdraw legislation granted  
*NOT PROPERLY BEFORE THE BODY* ..... ruled out of order by the presiding officer; legislation died  
*INDEF PP*..... indefinitely postponed; legislation died  
*ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X*... ought-not-to-pass report accepted; legislation died  
*P&S XXX*..... chapter # of enacted private & special law  
*PUBLIC XXX*..... chapter # of enacted public Law  
*RESOLVE XXX*..... chapter # of finally passed resolve  
*VETO SUSTAINED*..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 125<sup>th</sup> Legislature is September 28, 2011. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

*Joint Standing Committee on Criminal Justice and Public Safety*

This amendment is the minority report of the Joint Standing Committee on Criminal Justice and Public Safety and adds an appropriations and allocations section.

This amendment was not adopted.

**LD 1299 An Act To Allow Deferred Disposition in Juvenile Cases**

**PUBLIC 384**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KATZ	OTP-AM	S-289

This bill allows the juvenile court to order a deferred disposition in the same manner as the adult court orders deferred dispositions. Deferred disposition is a sentencing alternative that is available to persons who plead guilty to a Class C, D or E crime. After accepting a guilty plea, the court may order the persons' sentencing be deferred to a date certain and impose requirements for the person to meet during the period of deferment. At the end of the deferment, if the person can prove to the court by a preponderance of the evidence that the person has met the requirements, the court dismisses the charges.

**Committee Amendment "A" (S-289)**

This amendment replaces the bill. The amendment creates the option of deferred disposition in juvenile cases but instead of providing the same option for juveniles that is provided in the Maine Criminal Code, it enacts this procedure in the Maine Juvenile Code with appropriate terminology and procedures for juveniles.

**Enacted Law Summary**

Public Law 2011, chapter 384 establishes the option of deferred disposition in juvenile cases by enacting this procedure in the Maine Juvenile Code.

**LD 1302 An Act To Extend Fire Code Rules to Single-family Dwellings Used as Nursing Homes for 3 or Fewer Patients**

**PUBLIC 398**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLARKE	OTP	

Current law provides that certain fire code rules adopted by the Commissioner of Public Safety do not apply to nursing homes having 3 or fewer patients. This bill removes that limitation, extending application of those rules to nursing homes with 3 or fewer patients.

**Enacted Law Summary**

Public Law 2011, chapter 398 extends the application of rules governing the safety to life from fire in or around all buildings and other structures and mass outdoor gatherings adopted by the Commissioner of Public Safety to nursing homes with 3 or fewer patients.