

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH LEGISLATURE
SECOND REGULAR SESSION



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

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

May 2014

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STATE OF MAINE
126TH LEGISLATURE
SECOND REGULAR SESSION
LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS

The *Digest* is arranged 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.

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 HOUSESHouse & 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
EMERGENCYenacted 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 Second Regular Session of the 126th Legislature is August 1, 2014. 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 law also directs the State Board of Corrections to establish a minimum, uniform policy by June 1, 2014, for notifying defendants detained at a county jail or other correctional facility after being arrested for a domestic violence offense or sexual assault, and prior to the setting of preconviction bail by a justice or judge, that it is a crime to make direct or indirect contact with a victim who is a member of the defendant's family or household.

Public Law 2013, chapter 478 was enacted as an emergency measure effective March 16, 2014.

LD 1672 An Act To Amend Maine's Emergency Management Laws

PUBLIC 462

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

This bill changes language in various provisions of the Maine Revised Statutes to conform with the current terminology of the Department of Defense, Veterans and Emergency Management. It also allows disbursements from the Emergency Response Commission Fund to be made for hazardous materials incident response equipment and supplies.

Enacted Law Summary

Public Law 2013, chapter 462 changes language in various provisions of the Maine Revised Statutes to conform with the current terminology of the Department of Defense, Veterans and Emergency Management. It also allows disbursements from the Emergency Response Commission Fund to be made for hazardous materials incident response equipment and supplies.

LD 1679 An Act To Appropriate Funds for the Maine Criminal Justice Academy, Code Enforcement Officer Training, Increased Enforcement of Tax Collection, Water Quality Control, Clinical Staff at the Maine State Prison and HIV Prevention Education

PUBLIC 591

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DION PLUMMER	OTP-AM	H-617 S-540 HILL

This bill provides ongoing funding for the Department of Public Safety, Maine Criminal Justice Academy.

Committee Amendment "A" (H-617)

This amendment incorporates a fiscal note.

Senate Amendment "A" To Committee Amendment "A" (S-540)

This amendment changes the title of the bill and, in addition to the funding provided to the Maine Criminal Justice Academy in the bill, provides funding to:

1. The Department of Economic and Community Development to support the code enforcement officer training and certification program;
2. The Maine Lakes Society to manage and analyze certain data to assist with water pollution control, water quality protection and other environmental training programs;
3. The Department of Education for HIV prevention training and education;

Joint Standing Committee on Criminal Justice and Public Safety

4. The Department of Administrative and Financial Services, Bureau of Revenue Services for three positions to allow the bureau to address tax collection cases; and
5. The Department of Corrections for three months of contracted clinical staff to a mental health unit at the Maine State Prison.

This amendment also transfers funds from the Gambling Control Board in the Department of Public Safety to the General Fund.

Enacted Law Summary

Public Law 2013, chapter 591 provides funding for the following:

1. The Department of Public Safety, Maine Criminal Justice Academy, to support the activities of the Academy;
2. The Department of Economic and Community Development to support the code enforcement officer training and certification program;
3. The Maine Lakes Society to manage and analyze certain data to assist with water pollution control, water quality protection and other environmental training programs;
4. The Department of Education for HIV prevention training and education;
5. The Department of Administrative and Financial Services, Bureau of Revenue Services for three positions to allow the bureau to address tax collection cases; and
6. The Department of Corrections for three months of contracted clinical staff to a mental health unit at the Maine State Prison.

Public Law 2013, chapter 591 also transfers funds from the Gambling Control Board in the Department of Public Safety to the General Fund.

LD 1729 An Act To Increase the Period of Time for the Calculation of a Prior Conviction for Operating under the Influence

PUBLIC 604

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARKS	OTP-AM	H-729

This bill increases the period of time for calculating a prior conviction for operating under the influence from 10 years to 15 years.

Committee Amendment "A" (H-729)

This amendment does the following.

1. It removes the provisions of the bill that increase the period of time for calculating a prior conviction for operating under the influence from 10 years to 15 years.
2. It amends the laws governing criminal operating under the influence to provide that the period of time for the calculation of a prior conviction for a Class B or C crime of operating under the influence is unlimited.
3. It changes the time from which a prior conviction is calculated from the date of the docket entry of conviction to