

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH LEGISLATURE
FIRST REGULAR SESSION



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

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

August 2015

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STATE OF MAINE

127TH LEGISLATURE
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LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 127th 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. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

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

The effective date for non-emergency legislation enacted in the First Regular Session of the 127th Legislature is October 15, 2015. 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

LD 150

Resolve, Requiring a Review of and a Report on Pretrial and Post-conviction Use of Batterers' Intervention Programs

RESOLVE 15

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HEAD	OTP-AM ONTP	H-54 S-67 CUSHING

This bill provides for anger management courses or specified jail time in addition to the sentences for certain domestic violence offenders. The bill directs the Department of Corrections, in consultation with the Maine Commission on Domestic and Sexual Abuse, to develop standards and procedures for certification of anger management programs and to certify those programs. The bill has an effective date of January 1, 2016.

Committee Amendment "A" (H-54)

This amendment, which is the majority report of the committee, replaces the bill with a resolve. The amendment directs the Department of Corrections and the Maine Commission on Domestic and Sexual Abuse, as established in the Maine Revised Statutes, Title 5, section 12004-I, subsection 74-C, to review pretrial and post-conviction use of batterers' intervention programs. The review must include best practices for batterers' intervention programs, including the length of successful programs and sanctions and incentives to encourage full participation and the potential for use before trial, during a period of deferred disposition and after conviction. The amendment requires the Department of Corrections and the Maine Commission on Domestic and Sexual Abuse to report to the Joint Standing Committee on Criminal Justice and Public Safety by January 1, 2016 on the results of the review. The report may include recommendations and suggested legislation. The amendment authorizes the Joint Standing Committee on Criminal Justice and Public Safety to submit a bill on pretrial and post-conviction use of batterers' intervention programs to the Second Regular Session of the 127th Legislature.

Senate Amendment "A" To Committee Amendment "A" (S-67)

This amendment strikes references to the Department of Corrections from Committee Amendment "A" leaving only the Maine Commission on Domestic and Sexual Abuse to review pretrial and post-conviction use of batterers' intervention programs.

Enacted Law Summary

Resolve 2015, chapter 15 directs the Maine Commission on Domestic and Sexual Abuse, as established in Title 5, section 12004-I, subsection 74-C, to review pretrial and post-conviction use of batterers' intervention programs. The review must include best practices for batterers' intervention programs, including the length of successful programs and sanctions and incentives to encourage full participation and the potential for use before trial, during a period of deferred disposition and after conviction. The resolve requires the Maine Commission on Domestic and Sexual Abuse to report to the Joint Standing Committee on Criminal Justice and Public Safety by January 1, 2016 on the results of the review. The report may include recommendations and suggested legislation. The resolve authorizes the Joint Standing Committee on Criminal Justice and Public Safety to submit a bill on pretrial and post-conviction use of batterers' intervention programs to the Second Regular Session of the 127th Legislature.

LD 177

An Act To Protect Farm Animals from Noise from the Discharge of Fireworks and Explosives

Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HOBART LIBBY	ONTP OTP	