

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
127<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**

August 2015

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# STATE OF MAINE

127<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* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 127<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. 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 &amp; 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&amp;S XXX</i> .....	<i>chapter # of enacted private &amp; 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 127<sup>th</sup> 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**

prohibition on the possession of a firearm by a person convicted of a crime of domestic violence. This amendment provides that a person convicted or adjudicated of a Class D crime of domestic violence is prohibited from possessing a firearm for five years from the date of the conviction or adjudication. The prohibition expires at the end of the five-year period unless the person is convicted of any subsequent crime during the five-year period.

**Enacted Law Summary**

Public Law 2015, chapter 287 adds the following persons to the list of persons who may not possess firearms:

1. Fugitives from justice;
2. Persons who are unlawful users of or are addicted to any controlled substance and as a result are prohibited from possession of a firearm under 18 United States Code, Section 922(g)(3);
3. Aliens who are illegally or unlawfully in the United States or who were admitted under nonimmigrant visas and who are prohibited from possession of a firearm under 18 United States Code, Section 922(g)(5);
4. Persons who have been discharged from the United States Armed Forces under dishonorable conditions;
5. Persons who have renounced United States citizenship; and
6. Persons who have been convicted or adjudicated of a Class D crime of domestic violence within the previous five year period, calculated from the date of the conviction or adjudication. The prohibition expires at the end of the five-year period unless the person is convicted of any subsequent crime during the five-year period.

**LD 623**

**An Act To Expand Maine's Carbon Monoxide Detectors Law**

**PUBLIC 375**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DIAMOND TIMMONS	OTP-AM	S-290

This bill adds existing single-family dwellings, hotels, motels, inns, bed and breakfasts, certain other lodging places, fraternity houses, sorority houses, dormitories and child care facilities to the list of structures required to install carbon monoxide detectors, which may be powered by a nonreplaceable ten-year battery. In the event of any construction of, addition to, restoration of or conversion of a building to one of these structures, the owner is required to install a carbon monoxide detector that is powered by both the electrical service in the building or dwelling and by battery.

**Committee Amendment "A" (S-290)**

This amendment replaces the bill. The amendment does the following.

1. It requires carbon monoxide detectors in all fraternity houses, sorority houses and dormitories affiliated with educational facilities, children's homes, shelters and residential care facilities licensed by the Department of Health and Human Services and eating and lodging places and lodging places.
2. It requires carbon monoxide detectors in all educational facilities, but it exempts dormitories and other buildings of educational facilities that meet National Fire Protection Association standards.
3. It defines "educational facility" to mean public and private postsecondary institutions and child care facilities.
4. It specifies which types of power sources for carbon monoxide detectors may be used in which buildings.

***Joint Standing Committee on Criminal Justice and Public Safety***

- 5. It provides a schedule for public and private postsecondary institutions to achieve full compliance by January 1, 2019.
- 6. It includes a transition provision for carbon monoxide detectors in use on the effective date of this legislation that have nonconforming power sources.
- 7. It provides an effective date of January 1, 2016.

**Enacted Law Summary**

Public Law 2015, chapter 375 does the following.

- 1. It requires carbon monoxide detectors in all fraternity houses, sorority houses and dormitories affiliated with educational facilities, children's homes, shelters and residential care facilities licensed by the Department of Health and Human Services and eating and lodging places and lodging places.
- 2. It requires carbon monoxide detectors in all educational facilities, but it exempts dormitories and other buildings of educational facilities that meet National Fire Protection Association standards.
- 3. It defines "educational facility" to mean public and private postsecondary institutions and child care facilities.
- 4. It specifies which types of power sources for carbon monoxide detectors may be used in which buildings.
- 5. It provides a schedule for public and private postsecondary institutions to achieve full compliance by January 1, 2019.
- 6. It includes a transition provision for carbon monoxide detectors in use on the effective date of this legislation that have nonconforming power sources.
- 7. It provides an effective date of January 1, 2016.

**LD 624      An Act To Make a Technical Correction to the Law Establishing the State Trauma Prevention and Control Advisory Committee within the Field of Public Safety      PUBLIC 30**

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

Under current law, the State Trauma Prevention and Control Advisory Committee is established under the subject field of "Human Services." This bill instead establishes that committee under the subject field "Public Safety."

**Enacted Law Summary**

Public Law 2015, chapter 30 establishes the State Trauma Prevention and Control Advisory Committee in Title 5 of the Maine Revised Statutes under the subject field of "Public Safety".

**LD 629      An Act Regarding Community Paramedicine Pilot Projects      PUBLIC 92  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUTREMBLE GERRISH	OTP-AM	S-32