

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

- 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

Joint Standing Committee on Criminal Justice and Public Safety

This bill removes a requirement that an emergency medical services provider that conducts a community paramedicine pilot project work with an identified primary care medical director, have an emergency medical services medical director and collect and submit data and written reports to the board, in accordance with requirements established by the board. The bill also removes a provision limiting the number of pilot projects.

Committee Amendment "A" (S-32)

This amendment adds an emergency preamble and an emergency clause to the bill. The amendment removes the time limitation of three years for community paramedicine pilot projects. Like the bill, the amendment removes a provision limiting the number of pilot projects. Unlike the bill, the amendment does not strike the requirement that an emergency medical services provider that conducts a community paramedicine pilot project work with an identified primary care medical director, have an emergency medical services medical director and collect and submit data and written reports to the board, in accordance with requirements established by the board.

Enacted Law Summary

Public Law 2015, chapter 92 removes the time limitation of three years for community paramedicine pilot projects and the limit on the number of pilot projects.

Public Law 2015, chapter 92 was enacted as an emergency measure effective May 19, 2015.

LD 651 An Act To Amend Maine's Sex Trafficking and Child Welfare Laws

PUBLIC 360

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLK DION	OTP-AM	S-96

This bill revises the criminal laws regarding sexual exploitation, prostitution and sex trafficking of minors by increasing the maximum age of the minors in various provisions to 18 years of age, clarifying under various provisions that it is not a defense that the minor gave consent and adding the crime of aggravated sex trafficking to the list of prior offenses that are used to enhance a charge of sex trafficking from a Class D to a Class C crime if a defendant has been convicted of two or more of the offenses. The bill also amends the Child and Family Services and Child Protection Act by adding to the definition of "abuse and neglect" various criminal offenses relating to sexual exploitation, prostitution and sex trafficking of minors and creating a rebuttable presumption of a parent's unwillingness or inability to protect a child from jeopardy in considering the termination of parental rights if a child for whom the parent was responsible is the victim of sexual exploitation, sex trafficking or aggravated sex trafficking.

Committee Amendment "A" (S-96)

This amendment changes the title and strikes most of the bill, retaining those sections that include references to aggravated sex trafficking, sex trafficking and prostitution of a minor or a person with a disability as crimes for which an enhanced charge applies. The amendment also retains the changes to the Child and Family Services and Child Protection Act. The amendment adds sexual exploitation of a minor, sex trafficking and aggravated sex trafficking to the list of aggravating factors in the child welfare laws.

Enacted Law Summary

Public Law 2015, chapter 360 adds the crime of aggravated sex trafficking to the list of prior offenses that are used to enhance a charge of sex trafficking from a Class D to a Class C crime if a defendant has been convicted of two or more of the offenses. The law amends the Child and Family Services and Child Protection Act by adding to the definition of "abuse and neglect" various criminal offenses relating to sexual exploitation, prostitution and sex trafficking of minors and by creating a rebuttable presumption of a parent's unwillingness or inability to protect a