

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH 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 2016

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STATE OF MAINE

127TH LEGISLATURE

SECOND REGULAR SESSION



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 Second 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.

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 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 127th Legislature is July 29, 2016. 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

House Amendment "A" To Committee Amendment "A" (H-663)

This amendment replaces the resolve. It makes salary schedule adjustments for law enforcement positions as proposed in LD 1653 and incorporates the salary increases for law enforcement supervisors as proposed in the resolve, except that it adds senior motor vehicle detective positions and delays the proposed increases to August 1, 2016, effective for the first pay period commencing on or after July 1, 2016.

Enacted Law Summary

Resolve 2015, chapter 80 adjusts upward the salary schedules for certain law enforcement personnel beginning July 1, 2016 as follows:

1. A 12% increase for positions classified as Game Warden Sergeant, Game Warden Lieutenant, Marine Patrol Pilot Supervisor, Marine Patrol Sergeant or Marine Patrol Lieutenant;
2. A 13% increase for positions classified as State Police Trooper, Game Warden Investigator, Game Warden Specialist, Capitol Police Officer or Fire Investigator;
3. A 14% increase for positions classified as Game Warden Pilot Supervisor;
4. A 15% increase for positions classified as State Police Specialist, State Police Corporal, State Police Detective, State Police Polygraph Examiner, State Police Forensic Specialist, State Police Pilot, State Police Pilot Supervisor, State Police Polygraph Examiner Supervisor, State Police Sergeant-E, Game Warden, Marine Patrol Officer, Capitol Police Sergeant, Senior Fire Investigator, Fire Investigations Sergeant or Forensic Specialist, Dual Discipline;
5. A 17% increase for positions classified as Game Warden Pilot;
6. A 18% increase for positions classified as State Police Lieutenant, Capitol Police Lieutenant or Marine Patrol Specialist;
7. A 5% increase for senior motor vehicle detectives within the Department of the Secretary of State; and
8. A 5% increase for law enforcement supervisors in the Department of Agriculture, Conservation and Forestry, the Baxter State Park Authority, the Department of Inland Fisheries and Wildlife, the Department of Marine Resources and the Department of Public Safety.

Resolve 2015, chapter 80 also provides that the funds in the Salary Plan program, General Fund account within the Department of Administrative and Financial Services may be used for economic items contained in this resolve and in Public Law 2015, chapter 376 in fiscal year 2016-17 but limits the total amount that may be transferred from the Salary Plan program pursuant to this resolve to no more than \$6,347,655 in fiscal year 2016-17.

LD 1526

An Act Regarding the Disclosure of Intelligence and Investigative Record Information

PUBLIC 411

Sponsor(s)
BURNS D
HOBBINS B

Committee Report
OTP-AM

Amendments Adopted
S-379

This bill allows a state criminal justice agency, subject to reasonable limitations, to disclose intelligence and investigative record information to an employee or volunteer of a nongovernmental advocacy program for persons with mental illness as long as the employee or volunteer has a specific agreement with the agency that complies with the Maine Revised Statutes, Title 16, section 806, subsection 3.

Joint Standing Committee on Criminal Justice and Public Safety

Committee Amendment "A" (S-379)

This amendment replaces the bill and changes the title. Current law allows a criminal justice agency to disclose intelligence and investigative record information to a sexual assault counselor or an advocate for victims of domestic or family violence if a specific agreement exists between the counselor or advocate and the agency and the agreement contains terms provided in the statute. The amendment repeals these provisions and instead places into law a list of requirements that must be met by a sexual assault counselor or an advocate that receives intelligence and investigative record information from a criminal justice agency.

Enacted Law Summary

Public Law 2015, chapter 411 amends the law on disclosure of intelligence and investigative record information to a sexual assault counselor or an advocate for victims of domestic or family violence. Current law requires for disclosure that a specific agreement exist between the counselor or advocate and the agency and that the agreement contains terms provided in the statute. Public Law 2015, chapter 411 repeals these provisions and instead places into law a list of requirements that must be met by a sexual assault counselor or an advocate in order to receive intelligence and investigative record information from a criminal justice agency.

LD 1529 An Act Regarding the Application Fees and Inspection Fees Associated with the Provision of Amusement Rides

**PUBLIC 421
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROSEN K	OTP-AM	S-382

This bill is a concept draft pursuant to Joint Rule 208.

It proposes to review and change, if necessary, the application fees and inspection fees charged by the Department of Public Safety for amusement rides set forth in the Maine Revised Statutes, Title 8, chapter 18.

Committee Amendment "A" (S-382)

This amendment replaces the bill, adds an emergency preamble and emergency clause and makes the following changes to the law regarding the inspection of amusement rides and amusement devices.

1. It removes the \$100 application fee for the inspection of amusement rides.
2. It changes the inspection fee for amusement rides and amusement devices from \$75 per hour per ride or device to a \$100 flat fee per amusement ride or amusement device.
3. It provides that if an amusement ride or amusement device is not available for inspection at the time the Office of the State Fire Marshal conducts its inspections, the owner or operator must still pay the \$100 inspection fee and an additional \$100 per amusement ride or amusement device each time an inspector must return to inspect a ride or device that was not available for inspection during the prior inspection.
4. It exempts a bounce house or other similar inflatable structures from the inspection requirement imposed on amusement rides and amusement devices.

Enacted Law Summary

Public Law 2015, chapter 421 makes the following changes to the law regarding the inspection of amusement rides and amusement devices.

1. It removes the \$100 application fee for the inspection of amusement rides.