

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

6. The law amends the Class B sentencing provision for a person convicted of stalking who has one or more prior convictions, at least one of which was for stalking two or more specific persons that are members of an identifiable group, to require the court in determining the basic term of imprisonment as the first step in the sentencing process to select a term of at least two years.

7. The law strikes redundant provisions requiring the court, in imposing a sentencing alternative for the crime of stalking, to consider whether the victim was being stalked by the person being sentenced.

8. The law raises the class of certain "attempt" crimes to a higher class in a manner that is consistent with the increase in class for second and subsequent convictions of those crimes.

LD 1614

Resolve, To Provide Funding for the County Jail Operations Fund

**RESOLVE 90
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	S-400
	ONTP	S-508 HAMPER J

This resolve was reported by a majority of the Joint Standing Committee on Criminal Justice and Public Safety pursuant to the Maine Revised Statutes, Title 34-A, section 1402, subsection 13 and was then referred back to committee for processing in the normal course.

This resolve provides funding for the operation of the State's county jails and regional jail in the amount of \$2,465,896 in fiscal years 2015-16 and 2016-17.

Committee Amendment "A" (S-400)

This amendment is the majority report of the committee. The amendment specifies that the funding is provided on a one-time basis. The amendment requires the Department of Corrections to make the distributions pursuant to the resolve prior to June 30, 2016 and prior to June 30, 2017 on the basis of the financial needs of each county jail and the regional jail. The amendment requires the department to determine the financial needs of the jails in cooperation with the Maine County Commissioners Association and the Maine Sheriffs' Association, taking into consideration the revenues and verified expenditures of each jail and the use of tax assessments by each county as a source of funding for the jail as allowed by current law.

Senate Amendment "B" To Committee Amendment "A" (S-508)

This amendment eliminates the proposed General Fund appropriation in fiscal year 2016-17 for the County Jail Operations Fund and reduces the General Fund appropriation to Medical Care - Payments to Providers by \$2,465,896 in fiscal year 2016-17 as a result of the increase in the Federal Medical Assistance Percentage for federal fiscal year 2017.

Enacted Law Summary

Resolve 2015, chapter 90 provides General Fund funding for the operation of the State's county jails and regional jail in the amount of \$2,465,896 in fiscal years 2015-16 and reduces the General Fund appropriation to Medical Care - Payments to Providers by \$2,465,896 in fiscal year 2016-17 as a result of the increase in the Federal Medical Assistance Percentage for federal fiscal year 2017.

Resolve 2015, chapter 90 was passed as an emergency measure effective April 29, 2016.