

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

LD 1626

Resolve, Regarding Legislative Review of Portions of Chapter 4: Water-based Fire Protection Systems, a Late-filed Major Substantive Rule of the Department of Public Safety, Office of the State Fire Marshal

**RESOLVE 70
EMERGENCY**

Sponsor(s)

Committee Report

Amendments Adopted

OTP

This resolve provides for legislative review of portions of Chapter 4: Water-based Fire Protection Systems, a major substantive rule of the Department of Public Safety, Office of the State Fire Marshal that was filed outside the legislative rule acceptance period.

Enacted Law Summary

Resolve 2015, chapter 70 authorizes final adoption of portions of Chapter 4: Water-based Fire Protection Systems, a major substantive rule of the Department of Public Safety, Office of the State Fire Marshal.

Resolve 2015, chapter 70 was passed as an emergency measure effective March 29, 2016.

LD 1628

An Act To Strengthen the Laws on Operating a Motor Vehicle under the Influence of Intoxicants

**Died Between
Houses**

Sponsor(s)

Committee Report

Amendments Adopted

ONTP
OTP-AM

This bill was reported by the committee pursuant to joint order, S.P. 631 and then referred back to the committee for processing in the normal course.

This bill contains the recommendations of the majority of the Working Group on Marijuana and Driving that was convened in 2015 by the Secretary of State. The bill does the following.

1. It establishes a permissible inference of operating under the influence of intoxicants when a person operates a motor vehicle and has a level of delta-nine-tetrahydrocannabinol, or THC, of five nanograms or more per milliliter of blood.
2. It establishes a permissible inference of operating under the influence of intoxicants when a person operates a motor vehicle and has a level of THC of two nanograms or more per milliliter of blood and an alcohol level of 0.05 grams or more of alcohol per 100 milliliters of blood or 210 liters of breath.
3. It establishes a 0.00 nanogram level for THC for a person under 21 years of age and provides an affirmative defense for marijuana use in compliance with the Maine Medical Use of Marijuana Act.
4. It permits a qualified law enforcement officer, without making an arrest, to request that a person who the officer reasonably believes has been operating under the influence take a preliminary breath test for alcohol level and allows the results to be used to determine whether there is probable cause to believe the person was operating under the influence.

Committee Amendment "A" (S-420)