

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

STAFF:

JANE ORBETON, SENIOR LEGISLATIVE ANALYST
CURTIS BENTLEY, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670
<http://legislature.maine.gov/legis/opla>

MEMBERS:

SEN. KIMBERLEY C. ROSEN, CHAIR
SEN. DAVID C. BURNS
SEN. STAN GERZOFKY

REP. LORI A. FOWLE, CHAIR
REP. MICHEL A. LAJOIE
REP. JUSTIN M. CHENETTE
REP. CATHERINE M. NADEAU
REP. JAMES E. DAVITT
REP. CHARLOTTE WARREN
REP. RICKY D. LONG
REP. KAREN A. GERRISH
REP. TIMOTHY S. THERIAULT
REP. MICHAEL J. TIMMONS

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 1674 An Act To Create Community Substance Abuse Programs

INDEF PP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| ROSEN K | | |

This bill was not referred to committee.

This bill does the following.

1. It requires a court to sentence a person who is convicted of unlawful possession of a scheduled drug to a definite term of imprisonment and to suspend all of the sentence if the person has no prior convictions for certain drug-related offenses or other specified crimes, such as assault or sexual assault. The person must be sentenced to a definite term of probation with the condition that the person successfully complete a community substance abuse program.
2. It specifies that probation may be imposed for a Class D or Class E crime of unlawful possession of a scheduled drug.
3. It requires each county sheriff to establish a community substance abuse program at that sheriff's regional or county jail. Programs are administered by the counties and must meet certification standards established by the Department of Corrections by rule.
4. It establishes the Community Substance Abuse Fund to annually reimburse counties for the cost of the community substance abuse programs that meet the department's certification requirements. A person participating in a program must comply with certain requirements in order to successfully complete the program, including submitting to electronic monitoring and daily testing for illegal drug and alcohol use, and must participate in the program for 12 months. If a person fails to successfully complete the program, the court is required to revoke the probation for that person and that person must serve the unsuspended portion of the sentence in the custody of the Department of Corrections.

LD 1683 An Act To Increase Penalties for the Use of Violence against Firefighters

PUBLIC 471

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| CYRWAY S LUCHINI L | ONTP OTP-AM | S-472 |

This bill establishes the Class C crime of assault on a firefighter and specifies that the current crime of assault on an emergency medical care provider does not apply to a firefighter.

Committee Amendment "A" (S-472)

This amendment incorporates a fiscal note.

Enacted Law Summary

Public Law 2015, chapter 471 establishes the Class C crime of assault on a firefighter and specifies that the current crime of assault on an emergency medical care provider does not apply to a firefighter.