

MAINE STATE LEGISLATURE

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STATE OF MAINE
128TH 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 2017

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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 128th 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 FINAL 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 128th Legislature is Wednesday, November 1, 2017. 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 449

An Act To Add Domestic Violence against the Victim as an Aggravating Factor in Sentencing for Murder

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T MARTIN J	OTP-AM	S-79

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

This bill proposes to require an automatic life sentence for a defendant convicted of murder as a result of domestic abuse.

Committee Amendment "A" (S-79)

This amendment provides a new title and replaces the bill. The amendment adds to the circumstances of the crime that the court must consider when setting the sentence for a person convicted of murder that the victim is a family or household member who is a victim of domestic violence committed by the convicted person.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

LD 463

An Act To Improve the Funding of County Jails

PUBLIC 281

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN D JACKSON T	OTP-AM	H-487

This bill amends the laws on funding the county jails and the transfer of prisoners among county jails and the Department of Corrections. The bill clarifies that a county jail that receives a transfer of a prisoner from a sending county jail or the Department of Corrections may charge the sending county jail or the Department of Corrections a per diem charge for the transferred prisoner. The bill clarifies in the funding formula for county jails that the jails are credited for the prisoners who are committed to the custody of or detained by the sheriff of that county. The bill removes the cap on tax assessments for correctional services that is specific to the jails and imposes the limitation on county assessments that applies more generally to the counties as set forth in the Maine Revised Statutes, Title 30-A, section 706-A.

Committee Amendment "A" (H-487)

This amendment replaces the bill. The amendment establishes that the assessment to municipalities for the provision of correctional services in a county budget may not be less than the base assessment limit established by law. The amendment also specifies that if a county collects more in a year than the base amount established for that year, the base amount for the succeeding year is the amount collected in the prior year.

Enacted Law Summary

Public Law 2017, chapter 281 establishes that the assessment to municipalities for the provision of correctional services in a county budget may not be less than the base assessment limit established by law. The law specifies that if a county collects more in a year than the base amount established for that year, the base amount for the succeeding year is the amount collected in the prior year.