

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

STAFF:

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

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STATE OF MAINE

128TH LEGISLATURE
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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

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

LD 1427 An Act To Make Community Paramedicine Services Permanent

PUBLIC 276

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GERRISH K	OTP-AM	H-489

This bill makes community paramedicine pilot projects established by the Emergency Medical Services' Board permanent. The bill also prohibits the use of state funds to fund community paramedicine projects.

Committee Amendment "A" (H-489)

This amendment changes the term in the bill "community paramedicine projects" to "community paramedicine services." The amendment strikes the provision of the bill that prohibits the use of state funds for the purposes of the bill.

Enacted Law Summary

Public Law 2017, chapter 276 makes community paramedicine services established by the Emergency Medical Services' Board permanent, no longer pilot projects.

LD 1428 An Act To Relieve Overcrowding in County Jails

Accepted Majority (ONTP) Report

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

This bill requires that a probationer held without bail pending hearing after an initial appearance for a probation violation must be transferred to the custody of the Department of Corrections and within seven days transported to a department facility.

Committee Amendment "A" (H-507)

This amendment is the minority report of the committee. The amendment incorporates a fiscal note.

This amendment was not adopted.

LD 1429 An Act Regarding the Epidemic of Opiate Abuse

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GROHMAN M DION M	OTP-AM	H-510

This bill addresses the opiate crisis in Maine by:

1. Allowing funds from property forfeited pursuant to a criminal forfeiture action to be assigned by the court, upon the request of the investigating or prosecuting agency, to a law enforcement agency in this State that provides case management and other social services to persons with substance use disorders;

Joint Standing Committee on Criminal Justice and Public Safety

- 2. Clarifying that the Class B crimes of aggravated furnishing of scheduled drugs and aggravated trafficking or furnishing of counterfeit drugs are for the death of another person, whose death was caused by drugs furnished by the defendant; and
- 3. Requiring the Department of Health and Human Services to provide an annual report to the joint standing committee of the Legislature having jurisdiction over health and human services matters regarding the Controlled Substances Prescription Monitoring Program, including the number of prescribers participating and trends in prescription practices.

Committee Amendment "A" (H-510)

This amendment adds to the bill new variants of aggravated trafficking of scheduled drugs that includes trafficking in scheduled drugs when the trafficked scheduled drug was a contributing factor in the death of another person, a Class A crime, or serious bodily injury of another person, a Class B crime. The amendment also adds an appropriations and allocations section.

This bill was reported out of committee and then carried over to the next special or regular session of the 128th Legislature on the Special Appropriations Table by joint order, S.P. 601.

LD 1457 An Act To Rename and Repurpose the Mountain View Youth Development Center as the Mountain View Correctional Facility and To Eliminate the Charleston Correctional Facility as a Facility Separate from Mountain View **PUBLIC 148
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROSEN K	OTP-AM	S-158

This bill amends the statutes to reflect that Mountain View Youth Development Center is now largely being used to house adult prisoners, though there are still retained provisions related to the juvenile detention unit. It also repeals the provisions related to the Charleston Correctional Facility.

Committee Amendment "A" (S-158)

This amendment strikes those sections of the bill that address payment by the Department of Education for special education services and coordination of services for juvenile offenders in the custody of or under the supervision of the Department of Corrections.

Enacted Law Summary

Public Law 2017, chapter 148 amends the statutes to reflect that Mountain View Youth Development Center is being used to house adult prisoners, although it is authorized to include the juvenile detention unit. The law repeals the provisions of law related to the Charleston Correctional Facility.

Public Law 2017, chapter 148 was enacted as an emergency measure effective June 8, 2017.

LD 1458 An Act To Amend the Law Relating to the Crime of Hindering Apprehension or Prosecution **PUBLIC 149
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROSEN K	OTP-AM	S-157