

MAINE STATE LEGISLATURE

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STATE OF MAINE
129TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

JOINT STANDING COMMITTEE ON JUDICIARY

August 2019

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STATE OF MAINE

129TH 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 129th 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 129th Legislature is Thursday, September 19, 2019. 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 Judiciary

Committee Amendment "A" (H-573)

This amendment, which is the majority report, incorporates a fiscal note.

This amendment was adopted in the House and Senate before the bill was carried over on the Special Appropriations Table.

LD 764 Resolve, To Create the Criminal Records Review Committee

**RESOLVE 90
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TALBOT ROSS R	OTP-AM	H-614

This bill amends the Criminal History Record Information Act in the following ways:

1. Makes confidential all juvenile adjudications and related records after three years from the date of disposition;
2. Except for crimes involving sexual assault, sexual exploitation of minors and domestic violence, makes confidential all convictions and related records for Class E and Class D crimes after three years from the date of imposition of sentence;
3. Makes confidential all convictions and related records for Class E and Class D crimes involving sexual assault, sexual exploitation of minors and domestic violence after seven years from the date of imposition of sentence;
4. Makes confidential all convictions and related records for Class C, Class B and Class A crimes that are based solely on the defendant's convictions for prior Class E and Class D crimes; and
5. Limits the dissemination of confidential criminal history record information to criminal justice agencies for the purpose of the administration of criminal justice and criminal justice agency employment and pursuant to court order.

Committee Amendment "A" (H-614)

This amendment strikes the bill and replaces it with a resolve that establishes the Criminal Records Review Committee, consisting of 15 members, including a member representing the judicial branch if one is designated by the Chief Justice of the Supreme Judicial Court.

The review committee is directed to look at all issues concerning limiting public availability of criminal records and to provide recommendations to the Joint Standing Committee on Judiciary by December 4, 2019. The review committee's funding must come from outside sources. The amendment also adds an appropriations and allocations section.

Enacted Law Summary

Resolve 2019, chapter 90, establishes the Criminal Records Review Committee, consisting of 15 members, including a member representing the judicial branch if one is designated by the Chief Justice of the Supreme Judicial Court.

The review committee is directed to look at all issues concerning limiting public availability of criminal records and to provide recommendations to the Joint Standing Committee on Judiciary by December 4, 2019. The review committee's funding must come from outside sources.

Resolve 2019, chapter 90, was finally passed as an emergency measure effective June 20, 2019.