

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
129<sup>TH</sup> 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

129<sup>TH</sup> 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 129<sup>th</sup> 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 129<sup>th</sup> 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*

**LD 800**

**An Act To Amend Mandatory Law Enforcement Agency Policies  
Regarding Recording Suspects To Include Cases of Murder and Class A,  
Class B and Class C Crimes**

**PUBLIC 466**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WARREN C	OTP-AM ONTP	H-572

Current law requires that law enforcement agencies only adopt written policies for the recording of interviews of suspects of serious crimes. This bill requires law enforcement officers to record interviews of suspects in custody or otherwise deprived of freedom of action in any significant way whenever feasible and always where questioning occurs at a place of detention.

**Committee Amendment "A" (H-572)**

This amendment, which is the majority report, strikes and replaces the title and the bill. The amendment amends the mandatory policies for law enforcement agencies, which are set by the Board of Trustees of the Maine Criminal Justice Academy, regarding digital, electronic, audio, video or other recording of law enforcement interviews of suspects to specifically include all suspects of murder and Class A, Class B and Class C crimes, instead of suspects in "serious crimes."

**Enacted Law Summary**

Public Law 2019, chapter 466, amends the mandatory policies for law enforcement agencies, which are set by the Board of Trustees of the Maine Criminal Justice Academy, regarding digital, electronic, audio, video or other recording of law enforcement interviews of suspects to specifically include all suspects of murder and Class A, Class B and Class C crimes, instead of suspects in "serious crimes."

**LD 801 An Act Regarding Recording of Witness Interviews**

**Veto Sustained**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WARREN C	OTP ONTP	

Current law requires that law enforcement agencies adopt written policies for the recording of interviews of only suspects in serious crimes. This bill extends that requirement to include recording of interviews of witnesses.

**LD 831 An Act Concerning Visitation Rights of Great-grandparents**

**PUBLIC 197**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUDDY S	OTP-AM	H-315

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to enact measures to ensure rights of visitation and contact with a minor child for the child's grandparents and great-grandparents when the child's parents divorce.

**Committee Amendment "A" (H-315)**

This amendment strikes the bill, which is a concept draft, and replaces the title accordingly. It amends the