

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 CRIMINAL JUSTICE
AND PUBLIC SAFETY**

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 Criminal Justice and Public Safety

LD 828 An Act Concerning the Release of the Name of a Deceased Individual

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DILLINGHAM K TIMBERLAKE J	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to enact measures to ensure that the name of a deceased individual is not released publicly before the family of the deceased individual has been notified.

LD 829 Resolve, To Reestablish the Commission To Improve the Sentencing, Supervision, Management and Incarceration of Prisoners

RESOLVE 104

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TALBOT ROSS R	OTP-AM	H-320 S-309 LIBBY N H-659 TALBOT ROSS R

This resolve reestablishes the Commission To Improve the Sentencing, Supervision, Management and Incarceration of Prisoners, which was previously established by the 121st Legislature in 2003. This 17-member commission is charged with conducting research and preparing recommendations on a variety of issues relating to the sentencing of prisoners, the management of county and state correctional facilities and the treatment of prisoners within those facilities. The commission is directed to submit, no later than December 4, 2019, a report detailing its findings and recommendations, including any proposed legislation, to the Joint Standing Committee on Criminal Justice and Public Safety and to the Joint Standing Committee on Judiciary, each of which may report out legislation relating to the report to the Second Regular Session of the 129th Legislature.

Committee Amendment "A" (H-320)

This amendment adds three members to the membership of the Commission To Improve the Sentencing, Supervision, Management and Incarceration of Prisoners: a representative of a statewide organization working to end domestic violence; a representative of a statewide organization working to end sexual assault; and a member of a federally recognized tribe in Maine. The amendment adds to the duties of the commission specific mention of juvenile and adult prisoner populations and diversion from juvenile corrections.

Senate Amendment "A" (S-309)

This amendment changes the method of appointing the commission chairs so as to conform with Joint Rule 353.

House Amendment "A" (H-659)

This amendment removes the emergency preamble and emergency clause.

Enacted Law Summary

Resolve 2019, chapter 104 reestablishes the Commission To Improve the Sentencing, Supervision, Management and Incarceration of Prisoners, which was previously established by the 121st Legislature in 2003. The commission has 20 members, including the first-named Senate member as Senate chair and the first-named House member as House chair. The commission is charged with conducting research and preparing recommendations on a variety of issues relating to the sentencing of prisoners, the management of county and state correctional facilities and the treatment of prisoners within those facilities. The commission is directed to review and make recommendations with regard

Joint Standing Committee on Criminal Justice and Public Safety

to juvenile and adult populations. The commission is directed to submit, no later than December 4, 2019, a report detailing its findings and recommendations, including any proposed legislation, to the Joint Standing Committee on Criminal Justice and Public Safety and to the Joint Standing Committee on Judiciary, each of which may report out legislation relating to the report to the Second Regular Session of the 129th Legislature. The resolve was not enacted as an emergency measure.

LD 855 An Act To Strengthen the Maine Uniform Building and Energy Code

PUBLIC 517

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAIAZZO C MIRAMANT D	OTP-AM	H-619 S-372 DESCHAMBAULT S

This bill requires that the Commissioner of Public Safety appoint a technical codes coordinator, an office specialist and a building codes trainer. It also requires that municipalities impose a \$3 surcharge on building permits and remit those funds to the Department of Public Safety to fund the Uniform Building Codes and Standards Fund.

Committee Amendment "A" (H-619)

This amendment makes the following changes to the bill.

1. It increases the municipal permit surcharge from \$3 to \$5 and specifies that the surcharge only applies to permits for new construction or renovations that are subject to the Maine Uniform Building and Energy Code.
2. It transfers administration of code enforcement officer training from the Department of Economic and Community Development, Office of Community Development to the Department of Public Safety, Office of the State Fire Marshal.

The amendment also adds a mandate preamble and an appropriations and allocations section.

Senate Amendment "A" To Committee Amendment "A" (S-372)

This amendment removes the municipal permit surcharge and the positions funded by it. The amendment also removes the mandate preamble.

Enacted Law Summary

Public Law 2019, chapter 517 transfers administration of code enforcement officer training from the Department of Economic and Community Development, Office of Community Development to the Department of Public Safety, Office of the State Fire Marshal.

LD 869 An Act Regarding Gun Control

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAUGHTRY M	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to amend the laws governing gun control.