

MAINE STATE LEGISLATURE

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STATE OF MAINE
129TH LEGISLATURE
FIRST SPECIAL AND SECOND REGULAR SESSIONS



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

**JOINT STANDING COMMITTEE ON CRIMINAL JUSTICE
AND PUBLIC SAFETY**

November 2020

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STATE OF MAINE

129TH LEGISLATURE
FIRST REGULAR SESSION



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 1096 An Act To Require That Comprehensive Substance Use Disorder Treatment Be Made Available to Maine's Incarcerated Population ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANBORN L GATTINE D	ONTP	

This bill was carried over in committee from the First Regular Session of the 129th Legislature by joint order, H.P. 1322.

This bill requires the Commissioner of Corrections to establish and maintain a substance use disorder treatment program in the correctional facilities, which must provide for an assessment on intake, provide a variety of behavioral and medication-assisted treatment options and offer peer support and comprehensive treatment options after release. The bill also provides funding for the establishment of the substance use disorder treatment program.

LD 1108 Resolve, Establishing the Task Force on Alternatives to Incarceration for Maine Youth ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRENNAN M CARSON B	ONTP	

This resolve was carried over in committee from the First Regular Session of the 129th Legislature by joint order, H.P. 1322.

This resolve establishes the Task Force on Alternatives to Incarceration for Maine Youth to:

1. Review and evaluate current state and national reports regarding the efficacy of the use of incarceration of youth in the State and nationally;
2. Seek input from juvenile justice system stakeholders, including judges, defense attorneys, prosecutors, agency staff, residential and community-based service providers, youth advocates and youth and families affected by the juvenile justice system;
3. Develop a plan to close the Long Creek Youth Development Center by 2022 and make recommendations on subsequent use of the land or facility, including identifying options for alternate use of the land or facility that do not include the incarceration of other populations, and a transition plan for the center's staff; and
4. Develop recommendations for reinvestment of corrections funds currently designated for youth incarceration into a continuum of community-based alternatives.

LD 1169 An Act To Provide Ready Access to Defibrillators in Businesses and Pharmacies CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DESCHAMBAULT S MORALES V		S-233

Joint Standing Committee on Criminal Justice and Public Safety

This bill was passed to be enacted during the First Regular Session and then recalled from the Governor's desk and recommitted to committee. This bill was carried over in committee from the First Regular Session of the 129th Legislature by joint order, H.P. 1322.

This bill requires the Technical Building Codes and Standards Board to amend the Maine Uniform Building and Energy Code to require that commercial buildings built or renovated on or after January 1, 2020, with occupancy exceeding 200 individuals have an operational automated external defibrillator on the premises. The bill also requires that retail pharmacies, rural health center pharmacies and free clinic pharmacies have an automated external defibrillator on the premises, and that an individual trained in the use of the defibrillator be present at all times the pharmacy is open to the public.

Committee Amendment "A" (S-233)

This amendment is the majority report of the committee. The amendment requires that required automated external defibrillators be clearly marked. The amendment removes from the requirements for pharmacies that an individual trained in the use of the defibrillator be present at all times the pharmacy is open to the public. This amendment was adopted in the First Regular Session but removed from the bill when it was recommitted to committee at the end of the First Regular Session.

This bill, which had been voted (OTP-A/ONTP) but not yet reported out of committee, was carried over in committee to any special session of the 129th Legislature by joint order, S.P. 788.

LD 1210 *Resolve, To Direct the Commissioner of Corrections To Study Changes in Corrections Practices and Reinvestment in Corrections Resources To Reduce Recidivism and Control Correctional Facility Costs* CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TALBOT ROSS R CARPENTER M		

This resolve was carried over in committee from the First Regular Session of the 129th Legislature by joint order, H.P. 1322.

This resolve directs the Commissioner of Corrections to establish a working group to study changes in corrections practices and reinvestment of corrections resources in various ways to reduce recidivism and control correctional facility costs, including upstream interventions, diversion and alternative sentencing, prevention and harm reduction and mental health and substance use disorder treatment.

This resolve, which had been voted (OTP-A) but not yet reported out of committee, was carried over in committee to any special session of the 129th Legislature by joint order, S.P. 788.

LD 1215 *An Act Relating to Defenses and Self-defense in the Maine Criminal Code* ONTP

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

This bill was carried over in committee from the First Regular Session of the 129th Legislature by joint order, H.P. 1322.