

# 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 CRIMINAL JUSTICE  
AND PUBLIC SAFETY**

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 Criminal Justice and Public Safety***

This bill requires that firefighter training include preventive and post-trauma counseling, at which a counseling professional licensed under the Maine Revised Statutes, Title 32, chapter 119 or the fire department chaplain must be available to work with the firefighters, as required by the fire chief. The bill provides that, with advice from and in consultation with each regional council and its medical control committee and with the statewide emergency medical services' medical director, the Emergency Medical Services' Board may adopt routine technical rules setting mandatory requirements for preventive and post-trauma counseling for basic and advanced training for emergency medical services' persons for initial licensing and relicensing. The requirements may include the services of a counseling professional licensed under Title 32, chapter 119 or a chaplain to be provided by ambulance services and nontransporting emergency medical services.

**LD 1199 An Act To Protect the Safety of Health Care Workers**

**ONTP**

Sponsor(s)

DOW D

Committee Report

ONTP

Amendments Adopted

This bill provides that an assault on a health care practitioner while that health care practitioner is providing medical care or an assault on a hospital employee or person working for a hospital on a contractual basis while that employee or person is performing duties related to the provision of care for a patient or a prospective patient is a Class C crime.

See also LD 926.

**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**

Sponsor(s)

TALBOT ROSS R  
CARPENTER M

Committee Report

Amendments Adopted

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 was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

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

**CARRIED OVER**

Sponsor(s)

CARPENTER M

Committee Report

Amendments Adopted

This bill amends the Maine Criminal Code by clarifying that determination of the applicability of a defense is a preliminary question of fact under the Maine Rules of Evidence that must be proved by the totality of the circumstances and not by viewing the evidence in a light most favorable to the defendant and by providing that the