

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

**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

**MEMBERS:**

SEN. MICHAEL E. CARPENTER, CHAIR  
SEN. SHENNA BELLOWS  
SEN. LISA M. KEIM

REP. DONNA BAILEY, CHAIR  
REP. CHRISTOPHER BABBIDGE  
REP. BARBARA A. CARDONE  
REP. LOIS GALGAY RECKITT  
REP. RACHEL TALBOT ROSS  
REP. THOM HARNETT  
REP. DAVID G. HAGGAN  
REP. PHILIP CURTIS  
REP. JOHN DEVEAU  
REP. JEFFREY EVANGELOS

**STAFF:**

MARGARET J. REINSCH, SENIOR LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670  
<http://legislature.maine.gov/legis/opla/>

# STATE OF MAINE

129<sup>TH</sup> 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 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 1212 An Act To Adopt the Uniform Interstate Depositions and Discovery Act**

**PUBLIC 109**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARDONE B CARPENTER M	OTP	

This bill enacts in Maine law the Uniform Interstate Depositions and Discovery Act.

**Enacted Law Summary**

Public Law 2019, chapter 109, enacts in Maine law the Uniform Interstate Depositions and Discovery Act.

**LD 1219 An Act To Establish an Independent Panel To Review the Use of Deadly Force by Law Enforcement Officers**

**PUBLIC 435**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EVANGELOS J LIBBY N	OTP-AM	H-644

This bill establishes the Independent Board To Review Law Enforcement Officer-involved Deaths to review investigations by law enforcement agencies concerning deaths involving law enforcement officers and to issue recommendations to the prosecuting attorneys or Attorney General. The board consists of seven members appointed to three-year terms, and members of the board are conferred immunity in performing their duties on the board, except when the plaintiff is the State. The bill requires the board to issue a public report of its findings and conclusions for every officer-involved death in the State.

**Committee Amendment "A" (H-644)**

This amendment replaces the bill and revises the title to reflect that the panel will review use of deadly force by law enforcement officers, not just officer-related deaths.

The amendment establishes a panel of 15 members. The following are ex officio members, although each may appoint a designee to attend meetings and participate as a panel member: the Commissioner of Public Safety; the Director of Investigations for the Office of the Attorney General; the Director of the Maine Criminal Justice Academy; and the Chief Medical Examiner. The remaining members are appointed by the Attorney General: an attorney who represents plaintiffs in actions under 42 United States Code, Section 1983; a municipal police chief; a county sheriff; a mental health professional; a representative of a statewide collective bargaining law enforcement organization; a representative of a statewide civil rights organization; an attorney who represents defendants in actions under 42 United States Code, Section 1983; a criminal prosecutor; and three citizens, each of whom is not and has never been a sworn law enforcement officer.

The panel is directed to select a chair and a vice-chair and must meet at least quarterly. The Attorney General must call the first meeting before January 1, 2020.

The panel examines deaths and serious injuries that result from a law enforcement officer's use of deadly force. The panel will wait to conduct its examination until the Attorney General conducts the investigation of the use of deadly force by a law enforcement officer as required in current law. The purpose of the examinations is to identify whether there was compliance with accepted and best practices under the particular circumstances and whether the practices were sufficient for the particular circumstances or whether the practices require adjustment or improvement. The panel must recommend methods of improving standards, including changes to statutes, rules,