

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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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

F. Requires that a person who is being detained for the conduct for which the sentence is imposed receives credit for time detained in a mental health institute.

PART B

Part B makes changes to the current law to reflect the changes made in Part A, including:

1. Adding new definitions of "concurrent sentence," "consecutive sentence," "individual," "jail" and "split sentence" for purposes of the Maine Criminal Code;
2. Specifying that the definitions of "day," "week," "month" and "year" apply for the purposes of imposing imprisonment or probation, administrative release or supervised release;
3. Specifying that the court, but only for an individual, may suspend all or a portion of a minimum fine or impose a lesser fine other than the mandatory fine for certain drug offenses, assault and operating under the influence if the court finds by a preponderance of the evidence that there are exceptional circumstances that justify imposition of a lesser financial penalty; and
4. For purposes of imposition of a fine based on the value of a scheduled drug that is the basis for a conviction, requiring the State to plead and prove the value of the scheduled drug.

PART C

Part C provides for the correction and update of other sections of law not touched in the bill, such as cross-references in the Maine Revised Statutes to provisions of law repealed in this bill.

Public Law 2019, chapter 113 was enacted as an emergency measure effective May 16, 2019.

LD 1408

An Act To Allow Law Enforcement Officers To Wear Insignia on Their Uniforms To Indicate That They Are Veterans

PUBLIC 221

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HERBIG E HARRINGTON M	OTP-AM	S-115

This bill allows a law enforcement officer employed by the State, a county or a municipality to wear insignia on the law enforcement officer's uniform to indicate that the law enforcement officer is a veteran of the Armed Forces of the United States. It directs the Department of Public Safety to adopt routine technical rules to implement the change in law.

Committee Amendment "A" (S-115)

This amendment replaces the bill. The amendment authorizes a law enforcement agency to allow a law enforcement officer who is a veteran of the Armed Forces of the United States and who is employed by the agency to wear insignia on the officer's uniform to indicate that the officer is a veteran.

Enacted Law Summary

Public Law 2019, chapter 221 authorizes a law enforcement agency to allow a law enforcement officer who is a veteran of the Armed Forces of the United States and who is employed by the agency to wear insignia on the officer's uniform to indicate that the officer is a veteran.