

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

LD 1466 An Act To Allow Community-based Organizations To Participate in Diversion Projects for Persons with Substance Use Disorder

CARRIED OVER

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

This bill amends the Substance Use Disorder Assistance Program, which is a program that provides grants to municipalities, counties and regional jails to carry out projects designed to reduce substance use, substance use-related crimes and recidivism, to include community-based organizations as entities eligible for grants under the program. "Community-based organization" is defined as a nonprofit community organization that provides substance use disorder services to individuals, including, without limitation, substance use assessment, treatment, education or support group service.

See biennial budget, Public Law 2019, chapter 343, Parts CCCCC and DDDDD.

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

LD 1479 An Act To Clarify Guardianship over Detainees under 18 Years of Age Regarding Mental Health Care

PUBLIC 155

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MORALES V	OTP	

This bill clarifies that the statutory guardianship power of the Commissioner of Corrections over detainees under 18 years of age extends not only to necessary medical care but also to necessary mental health care.

Enacted Law Summary

Public Law 2019, chapter 155 clarifies that the statutory guardianship power of the Commissioner of Corrections over detainees under 18 years of age extends not only to necessary medical care but also to necessary mental health care.

LD 1485 An Act To Create a Contact Person Program in the Department of Public Safety

PUBLIC 442

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COSTAIN D DESCHAMBAULT S	OTP-AM	H-373

This bill creates the at-risk persons program to provide law enforcement officers with the contact information for a person designated by an at-risk person or that person's legal guardian. The program also provides access to information that may aid in maximizing the safety of the at-risk person during an encounter with a law enforcement officer.

Committee Amendment "A" (H-373)

This amendment replaces the bill and title. The amendment requires the Department of Public Safety to develop and implement a contact person program, a voluntary program to assist a law enforcement officer with

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communications with a participating person during an encounter between the participating person and the law enforcement officer. A participating person is a person who voluntarily applies or whose legal guardian applies to the program. The program must provide the law enforcement officer with access to contact information and must interface with the State's telecommunications and radio message switching system. The program must include standards of procedure for law enforcement agencies consistent with policies adopted by the department. The amendment also adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2019, chapter 442 requires the Department of Public Safety to develop and implement a contact person program, a voluntary program to assist a law enforcement officer with communications with a participating person during an encounter between the participating person and the law enforcement officer. A participating person is a person who voluntarily applies or whose legal guardian applies to the program. The program must provide the law enforcement officer with access to contact information and must interface with the State's telecommunications and radio message switching system. The program must include standards of procedure for law enforcement agencies consistent with policies adopted by the department.

LD 1492 An Act To Reform Drug Sentencing Laws

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEEBE-CENTER P SANBORN L		

This bill amends the Maine Criminal Code provisions regarding scheduled drugs by relaxing or eliminating provisions regarding trafficking and furnishing, unlawful possession of scheduled drugs, trafficking, furnishing or possession of hypodermic apparatuses, use of drug paraphernalia and trafficking or furnishing of imitation drugs.

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

LD 1509 An Act To Amend the Laws Governing the Maine Uniform Building and Energy Code To Ensure It Is Consistent with Current Standards and Applies to Small Municipalities

PUBLIC 391

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RYKERSON D CHIPMAN B	OTP-AM ONTP	H-592

This bill adds the executive director of the Efficiency Maine Trust to the Department of Public Safety, Office of the State Fire Marshal, Technical Building Codes and Standards Board. The bill requires the Technical Building Codes and Standards Board to amend the Maine Uniform Building and Energy Code so as to be consistent with the most recent edition of the International Energy Conservation Code published by the International Code Council, as well as the most recent edition of the International Mechanical Code published by the International Code Council. Beginning July 1, 2020, the bill also prohibits a municipality from adopting or enforcing a building or energy code other than the Maine Uniform Building and Energy Code and requires that any municipality that has adopted a building or energy code by July 1, 2020 adopt and enforce the Maine Uniform Building and Energy Code.

Committee Amendment "A" (H-592)

This amendment, which is the majority report of the committee, strikes and replaces the bill and makes the following changes: