

# 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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**STAFF:**

JANE ORBETON, 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  
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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*

**LD 1675 An Act Regarding Building Codes**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BELLOWS S	ONTP	

This bill amends laws relating to the Maine Uniform Building and Energy Code.

1. It provides that beginning July 1, 2020, the Maine Uniform Building and Energy Code must be enforced in all municipalities regardless of population.
2. It exempts a house constructed and occupied prior to January 1, 2007 or any modification of or addition to a house constructed and occupied prior to January 1, 2007 other than a complete demolition and rebuilding of the house from the requirements of the Maine Uniform Building and Energy Code. A municipality is prohibited from requiring architectural plans to be filed for such a modification or addition.
3. It removes the option for municipalities to use 3rd-party inspectors contracted and paid for by building owners and requires municipalities that use 3rd-party inspectors to contract directly with these inspectors and to select them through a competitive bidding process. It allows 3rd-party inspectors to jointly bid on a competitive solicitation by a municipality.

**LD 1676 An Act To Enhance the Ability of the State To Prosecute the Crime of Operating Under the Influence**

**PUBLIC 368**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLEAN A	OTP-AM	H-512

This bill amends the laws governing the testing of breath, blood and urine samples for the presence of alcohol and drugs by:

1. Allowing such testing to occur at a laboratory licensed to do so under the laws of this State or any other state and also certified by the Federal Government under federal law;
2. Allowing, for the taking of blood and urine samples, the use of specimen collection tubes of the type normally used in such a laboratory; and
3. Changing the allocation in the statutes of a provision of law governing the liability of persons who draw blood at the request of a law enforcement officer.

**Committee Amendment "A" (H-512)**

This amendment makes the language on liability of persons who draw blood at the request of a law enforcement officer consistent with the language in Public Law 2019, chapter 189.

**Enacted Law Summary**

Public Law 2019, chapter 368 amends the laws governing the testing of breath, blood and urine samples for the presence of alcohol and drugs by:

1. Allowing such testing to occur at a laboratory licensed to do so under the laws of this State or any other state and

*Joint Standing Committee on Criminal Justice and Public Safety*

also certified by the Federal Government under federal law;

- 2. Allowing, for the taking of blood and urine samples, the use of specimen collection tubes of the type normally used in such a laboratory; and
- 3. Changing the allocation in the statutes of a provision of law governing the liability of persons who draw blood at the request of a law enforcement officer and making that language consistent with the language in Public Law 2019, chapter 189.

See related bill LD 264.

**LD 1677      An Act To Allow Reentry Houses as Part of Supervised Community Confinement      PUBLIC 396**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FAY J	OTP-AM	H-562

This bill allows the Department of Corrections to contract with private employers for reentry houses for the purpose of providing housing and other assistance to prisoners transferred to supervised community confinement.

**Committee Amendment "A" (H-562)**

This amendment requires a reentry house to meet all state and local building and life safety codes for the type of building in which the reentry house is located.

**Enacted Law Summary**

Public Law 2019, chapter 396 allows the Department of Corrections to contract with private employers for reentry houses for the purpose of providing housing and other assistance to prisoners transferred to supervised community confinement. The law requires a reentry house to meet all state and local building and life safety codes for the type of building in which the reentry house is located.

**LD 1678      An Act To Authorize the Commissioner of Corrections To Designate Additional Employees of the Department of Corrections To Collect Biological Samples      PUBLIC 369**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN T	OTP-AM	H-547

Current law allows for the collection of biological samples that are not blood samples, such as saliva samples, from convicted adults and adjudicated juveniles by various staff of the Department of Corrections, including corrections officers and probation officers and also including other staff if they work at a department facility and are designated by the Commissioner of Corrections and are trained to collect the samples. This bill allows for collection by any staff member of the Department of Corrections who is designated by the commissioner and is trained to collect biological samples, not just a staff member of a facility.

**Committee Amendment "A" (H-547)**

This amendment incorporates a fiscal note.

**Enacted Law Summary**