

MAINE STATE LEGISLATURE

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STATE OF MAINE
129TH LEGISLATURE
FIRST SPECIAL AND SECOND REGULAR SESSIONS



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON CRIMINAL JUSTICE
AND PUBLIC SAFETY**

November 2020

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STATE OF MAINE

129TH 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 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 1962 An Act Regarding the Use of Propane and Natural Gas Detectors

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RECKITT L WOODSOME D		

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to require the use of propane and natural gas detectors in appropriate buildings.

This bill, which had been voted (OTP-A) but not yet reported out of committee, was carried over in committee to any special session of the 129th Legislature by joint order, S.P. 788.

LD 1971 An Act To Allow Certain Retired Law Enforcement Officers and Trained Law Enforcement Officers To Serve as School Security Officers

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DILL J NADEAUC	ONTP	

This bill allows a school administrative unit to employ as a school security officer a person who is a trained law enforcement officer or a person who meets the qualifications for a law enforcement officer as set forth in the Maine Revised Statutes, Title 25, chapter 341 or a person who has retired in good standing from a position as a certified law enforcement officer for a state, county, municipal or federal law enforcement agency and who meets the requirements for criminal history record information of Title 20-A, section 6103.

LD 1982 Resolve, Directing the Department of Public Safety To Conduct a Study To Develop Best Practices for Improving the Security of Municipal Properties

Leave to Withdraw Pursuant to Joint Rule

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

This resolve directs the Department of Public Safety to conduct a study to develop best practices that municipalities may reference to improve the security of municipal properties. The resolve requires the department to submit a report of its study to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters no later than December 31, 2020.

LD 1983 An Act To Amend Certain Record-keeping and Reporting Requirements Imposed on State and Local Law Enforcement Agencies and the Department of Public Safety

PUBLIC 651

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DESCHAMBAULT S	OTP	

Joint Standing Committee on Criminal Justice and Public Safety

This bill amends the laws regarding asset forfeiture-related record keeping to clarify that records of property that is forfeited to law enforcement agencies must be maintained by those agencies and to change the specific information that must be included in those records. The bill also provides that such records are open to inspection by anyone. The bill provides that reports concerning the transfer of property held by the Department of Public Safety and then ordered by a court to be forfeited to another governmental entity must be provided upon request to the Commissioner of Administrative and Financial Services and the Office of Fiscal and Program Review. The Department of Public Safety's reports must account for any such forfeiture that occurred during the 12 months preceding such a request. The bill eliminates the current law that requires the Department of Public Safety to provide these reports at least quarterly to the Commissioner of Administrative and Financial Services and the Office of Fiscal and Program Review and the current law that requires the Department of Public Safety to maintain a centralized record of property seized, held by the department and ordered to the department, including an estimate of the fair market value of items seized.

Enacted Law Summary

Public Law 2019, chapter 651 amends the laws regarding asset forfeiture-related record keeping to clarify that records of property that is forfeited to law enforcement agencies must be maintained by those agencies and to change the specific information that must be included in those records. The law provides that such records are open to inspection by anyone. The law provides that reports concerning the transfer of property held by the Department of Public Safety and then ordered by a court to be forfeited to another governmental entity must be provided upon request to the Commissioner of Administrative and Financial Services and the Office of Fiscal and Program Review. The Department of Public Safety's reports must account for any such forfeiture that occurred during the 12 months preceding such a request. The law eliminates the requirement that the Department of Public Safety provides these reports at least quarterly to the Commissioner of Administrative and Financial Services and the Office of Fiscal and Program Review and the requirement that the Department of Public Safety maintain a centralized record of property seized, held by the department and ordered to the department, including an estimate of the fair market value of items seized.

LD 1991 An Act To Prohibit the Sale of Drug Paraphernalia That Encourage Drug Use by Young People ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOODSOME D BERRY S	ONTP	

This bill amends the laws governing drug paraphernalia to specifically include so-called stash cans as drug paraphernalia, the sale or advertising of which is prohibited.

LD 2000 An Act To Standardize Language and Improve Correctional Services CARRIED OVER

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

This bill counts as the first full day of a period of confinement the day a juvenile is received into a juvenile correctional facility, regardless of when the juvenile arrives at the facility, and allows the juvenile to be released at any time on the last day of the period of confinement, instead of requiring the juvenile to be released at an exact time dependent on when the juvenile arrived at the facility.

It allows the Commissioner of Corrections to appoint a director of women's services to oversee services and