

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
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

STAFF:

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

MEMBERS:

SEN. SUSAN A. DESCHAMBAULT, CHAIR
SEN. MICHAEL E. CARPENTER
SEN. KIMBERLEY C. ROSEN

REP. CHARLOTTE WARREN, CHAIR
REP. JANICE E. COOPER
REP. PINNY BEEBE-CENTER
REP. LOIS GALGAY RECKITT
REP. VICTORIA E. MORALES
REP. BRADEN SHARPE
REP. RICHARD A. PICKETT
REP. PATRICK W. COREY
REP. CHRIS A. JOHANSEN
REP. DANNY EDWARD COSTAIN

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

the 129th Legislature by joint order, S.P. 788.

LD 2042 Resolve, To Allow the Department of Public Safety To Transfer Certain Property to the LifeFlight Foundation

RESOLVE 129

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WARREN C	OTP-AM	H-729

This resolve:

1. Transfers to the LifeFlight Foundation title and ownership of a motor vehicle and computer training equipment that were purchased by the Department of Public Safety with funds provided by the LifeFlight Foundation;
2. Transfers to the LifeFlight Foundation funds provided by the LifeFlight Foundation and remaining in a special revenue account; and
3. Terminates the Memorandum of Understanding, dated June 1, 2014, between the Department of Public Safety, Maine Emergency Medical Services and the LifeFlight Foundation.

Committee Amendment "A" (H-729)

This amendment incorporates a fiscal note.

Enacted Law Summary

Resolve 2019, chapter 129 does the following:

1. Transfers to the LifeFlight Foundation title and ownership of a motor vehicle and computer training equipment that were purchased by the Department of Public Safety with funds provided by the LifeFlight Foundation;
2. Transfers to the LifeFlight Foundation funds provided by the LifeFlight Foundation and remaining in a special revenue account; and
3. Terminates the Memorandum of Understanding, dated June 1, 2014, between the Department of Public Safety, Maine Emergency Medical Services and the LifeFlight Foundation.

LD 2043 An Act To Reclassify Certain Offenses under the Inland Fisheries and Wildlife Laws and Motor Vehicle Laws and Increase the Efficiency of the Criminal Justice System

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WARREN C DESCHAMBAULTS		

In Part A, this bill:

1. Changes the definition of "habitual violator" in the inland fisheries and wildlife laws by including a person whose convictions are for civil violations or a combination of civil violations and criminal violations. Current law includes only criminal violations; and
2. Reduces from Class E crimes to civil violations the following violations of the inland fisheries and wildlife laws

Joint Standing Committee on Criminal Justice and Public Safety

and sets the fines for the civil violations:

- A. For resident and nonresident junior hunters, hunting without a license;
- B. Practicing falconry without a permit;
- C. Possessing wild animals or wild birds taken in violation of the law that prohibits shooting while in or on a vehicle;
- D. Hunting migratory game birds with a shotgun capable of holding more than three shells;
- E. Leaving or allowing to remain duck decoys or a stationary blind or parts of an artificial cover in Merrymeeting Bay at night;
- F. Illegally placing bear bait to entice, hunt or trap black bear or hunting bear with more than six dogs;
- G. With regard to a person who is not a resident of the State, hunting bear with dogs without a guide;
- H. Training dogs on wild birds or wild animals, except in certain circumstances;
- I. Training dogs when the person has a license that is suspended or revoked;
- J. Holding field trials for beagles and other rabbit hounds except from September 1st through the following April 10th;
- K. Holding field trials for sporting dogs without a license;
- L. Charging others for the opportunity to hunt mallard ducks, pheasants, quail, Chukar partridge or Hungarian partridge or operating a commercial shooting area for such birds without a license;
- M. Charging another person for the opportunity to fish in a private pond without holding a valid private fee pond license; and
- N. Failing to present upon request to any agent of the Commissioner of Inland Fisheries and Wildlife a receipted invoice, bill of lading, bill of sale, license or other satisfactory evidence of lawful possession of live baitfish for retail or wholesale sale or smelts for wholesale sale.

In Part B, the bill does the following:

- 1. Reduces from Class E crimes to civil violations the following violations of the motor vehicle laws and sets the fines for the civil violations:
 - A. Failure to register a vehicle or having registration that has been expired for 150 days or more;
 - B. Failure by a motor vehicle dealer to maintain records of purchase or sale of vehicles and failure to maintain records of all sales representatives and full-time employees, vehicles and vehicle parts and make them available for inspection by representatives of the Secretary of State, the Attorney General or law enforcement officers;
 - C. Operating a motor vehicle on a public way or parking area without being licensed or in violation of a condition or restriction on the license;

Joint Standing Committee on Criminal Justice and Public Safety

- D. Failure to obtain a license after establishing residency for more than 90 days;
 - E. With regard to Class A, B and C motor vehicle licenses, operating a vehicle not included in the class of the person's license;
 - F. With regard to suspension of a license or registration, failure of the person to surrender to the Secretary of State every license, registration certificate and registration plate;
 - G. Operating a motor vehicle without proof of financial responsibility;
 - H. With regard to a motor vehicle that is abandoned, removal of the vehicle or any part or accessory thereof without written consent;
 - I. With regard to a motor vehicle illegally abandoned on an island, failure to remove the vehicle within the designated time frame;
 - J. Displaying or possessing a revoked, mutilated, fictitious or fraudulently altered driver's license or identification card;
 - K. Attaching or permitting attachment to a motor vehicle a registration plate assigned to another vehicle or not currently assigned to the vehicle;
 - L. Obscuring identification numbers or letters, the state name, the validation sticker or a mark distinguishing the type of plate attached to the vehicle;
 - M. The use by a school bus operator of flashing lights on the bus other than for the purpose of controlling traffic when stopping to receive or discharge school-age persons; and
 - N. Operating or permitting another person to operate a motor vehicle when the registration has been suspended or revoked; and
2. Designates as a traffic infraction operating a motor vehicle while the person's driver's license is suspended if the person does not have two prior operating while license is suspended or revoked offenses.

This bill, which had not yet been voted by the committee, was carried over in committee to any special session of the 129th Legislature by joint order, S.P. 788.

**LD 2044 An Act To Increase the Death Benefit for Firefighters, Law Enforcement Officers, Emergency Medical Services Personnel and Corrections Officers PUBLIC 658
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ACKLEYK	OTP-AM	H-762

This bill increases the death benefit for a law enforcement officer, firefighter or emergency medical services person who has died while in the line of duty from \$50,000 to \$75,000 through June 30, 2021. For deaths occurring after June 30, 2021, the Department of Administrative and Financial Services is required to adopt rules to annually calculate an increase in the death benefit based on the previous year's increase in the Consumer Price Index.