

MAINE STATE LEGISLATURE

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STATE OF MAINE
130TH LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS



Disposition of bills and summaries of all laws enacted or finally passed

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

December 2021

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JOINT STANDING COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

LD 419 An Act Regarding Voluntary Participation in Work Projects by Inmates Who Are Pretrial, Presentence and Sentenced

ENACTED LAW SUMMARY

Public Law 2021, chapter 169 clarifies that participation in work projects within and outside the jails by inmates of the jails is voluntary. The law authorizes participation in work projects by inmates who are pretrial and presentence within the jail and on jail property when under supervision and as approved by the sheriff.

LD 477 An Act To Allow for Fair Restitution by Providing That Restitution Includes the Cost of Analysis of Suspected Illegal Drugs If the Defendant Was Convicted of Trafficking and Was Motivated by Profit

ENACTED LAW SUMMARY

Public Law 2021, chapter 296 amends current law on critical investigation expenses that are recoverable as restitution in criminal cases. For critical investigation expenses related to analysis of suspected illegal drugs to be recoverable through restitution the law requires that the defendant be convicted of trafficking a scheduled drug under the Maine Revised Statutes, Title 17-A, chapter 45 and that a court determine the defendant was motivated by profit for the cost of analysis of suspected illegal drugs.

LD 491 An Act To Give Special Weight to Discriminatory Motive in Sentencing for False Public Alarm or Report

ENACTED LAW SUMMARY

Public Law 2021, chapter 170 amends the general sentencing statements of purpose of the Maine Criminal Code to permit the sentence of a person convicted of false public alarm or report to take into account the discriminatory motive of the person making the false public alarm or report.

LD 505 An Act To Expand the Disciplinary Authority of the Board of Trustees of the Maine Criminal Justice Academy

ENACTED LAW SUMMARY

Public Law 2021, chapter 255 amends the powers and duties of the Board of Trustees of the Maine Criminal Justice Academy to require that the board adopt rules for standards of conduct that subject an applicant for a certificate or a certificate holder to disciplinary action for a violation. The law authorizes the board to take action against an applicant for a certificate or a certificate holder for violation of the standards of conduct established by the board. The law requires that any action taken by the board as a result of a complaint, charge or accusation must be supported by a statement

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of findings and must be issued as a written decision of the board. The law designates the written decision of the board and findings as public records under the Freedom of Access Act.

LD 513 An Act Regarding The Citizen Members and the Complaint Review Committee of the Board of Trustees of the Maine Criminal Justice Academy

ENACTED LAW SUMMARY

Public Law 2021, chapter 196 expands the total membership of the complaint review committee of the board of trustees of the Maine Criminal Justice Academy from three to five and the number of members who are citizens who have not and never have been sworn members of a law enforcement agency from one to two. The law allows deliberations when a majority of the members of the committee, including at least one citizen member, is present instead of requiring that all members be present. The law defines a "citizen member" of the board as an educator, municipal official or citizen member who is not and never has been a sworn member of a law enforcement agency.

LD 514 An Act To Establish and Promote a System of Safe Disposal of Expired Marine Flares

ENACTED LAW SUMMARY

Public Law 2021, chapter 422 establishes within the Department of Public Safety programs for the collection and disposal of expired marine flares and for education of the public and state agency personnel regarding expired marine flares.

LD 521 An Act To Modify the Rule-making Process for Establishing County and Municipal Jail Standards

ENACTED LAW SUMMARY

Public Law 2021, chapter 171 amends the laws governing the authority of the Commissioner of Corrections to establish standards for municipal and county jails and detention facilities. The law requires that the standards for county and municipal jails and detention facilities be evidenced-based, reflect best practices for the operation and administration of jails and take into consideration cost impact.