

# 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  
130<sup>TH</sup> LEGISLATURE  
FIRST REGULAR AND FIRST SPECIAL SESSIONS



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

**JOINT STANDING COMMITTEE ON JUDICIARY**

December 2021

**MEMBERS:**

SEN. ANNE M. CARNEY, CHAIR  
SEN. HEATHER B. SANBORN  
SEN. LISA M. KEIM

REP. THOM HARNETT, CHAIR  
REP. CHRISTOPHER W. BABBIDGE  
REP. JOYCE MCCREIGHT\*  
REP. BARBARA A. CARDONE\*  
REP. LOIS GALGAY RECKITT  
REP. STEPHEN W. MORIARTY  
REP. ERIN R. SHEEHAN  
REP. DAVID G. HAGGAN  
REP. LAUREL D. LIBBY\*  
REP. JENNIFER L. POIRIER  
REP. JAMES F. THORNE\*  
REP. JEFFREY EVANGELOS  
REP. RENA D. NEWELL

**STAFF:**

MARGARET REINSCH, SR. LEGISLATIVE ANALYST  
SAM SENFT, LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670  
<http://legislature.maine.gov/opla/>

\*Committee member for a portion of the session

## JOINT STANDING COMMITTEE ON JUDICIARY

### **LD 778 An Act To Enable Electronic Reporting of Suspected Child Abuse and Neglect for Certain Mandated Reporters**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 116 amends outdated language regarding electronic submission of reports of suspected abuse or neglect to the Department of Health and Human Services by removing the language regarding secure e-mail and fax transmissions. Instead, electronic reports are submitted through a portal provided by the department linked to the department's comprehensive child welfare information system. Chapter 116 also expands the types of mandated reporters who may report electronically to include school personnel.

### **LD 785 An Act To Change the Standard for Taking a Person into Protective Custody**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 377 revises the standard for a law enforcement officer to take a person into protective custody. Current law is based on the law enforcement officer's having probable cause to believe that a person may be mentally ill and, because of that condition, presents a threat of imminent and substantial physical harm to that person or to another person. Chapter 377 changes that standard to the law enforcement officer's having probable cause to believe the person is mentally ill and, due to that condition, the person poses a likelihood of serious harm as defined in the Maine Revised Statutes, Title 34-B, section 3801, subsection 4-A, paragraph A, B or C.

### **LD 788 An Act To Align the Preconviction and Post-conviction Discretionary Deductions for Time Served**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 330 increases the discretionary deduction for time served for a person who serves time while awaiting trial, during trial, post-trial while awaiting sentencing or post-sentencing prior to the date on which the sentence commenced either to await transportation to the place of imprisonment specified or pursuant to court order and not in execution of any other sentence or imprisonment. It makes the discretionary deduction for time served the same for preconviction and post-conviction time served. The new deduction applies to an individual who commits a crime on or after October 1, 2021. In addition, information must be given to a victim about the amount of deductions that the defendant will receive for time served at the time of the sentencing.