

# 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 CRIMINAL JUSTICE  
AND PUBLIC SAFETY**

December 2021

**STAFF:**

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

**MEMBERS:**

SEN. SUSAN A. DESCHAMBAULT, CHAIR  
SEN. MARK W. LAWRENCE  
SEN. SCOTT M. CYRWAY

REP. CHARLOTTE WARREN, CHAIR  
REP. VICTORIA E. MORALES  
REP. LOIS GALGAY RECKITT  
REP. BRADEN SHARPE  
REP. GRAYSON B. LOOKNER  
REP. RICHARD A. PICKETT  
REP. DANNY EDWARD COSTAIN  
REP. SHELLEY RUDNICKI  
REP. DANIEL J. NEWMAN  
REP. WILLIAM D. PLUECKER

## JOINT STANDING COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

### **LD 1078 An Act To Promote Traffic Safety in Emergency Situations**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 85 enables a trained nonsworn member of a law enforcement agency to serve as a public safety traffic flagger to control vehicular traffic at emergency scenes in the same manner that firefighters and members of emergency medical services control vehicular traffic.

### **LD 1170 An Act Regarding Unauthorized Possession of a Firearm in a Correctional Facility or Jail**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 266 creates new Class D crimes for the unauthorized possession of a firearm in a correctional facility and unauthorized possession of a firearm in a jail or on the premises of a correctional facility or jail. The law exempts a person who has stored a firearm out of sight in a locked motor vehicle that is on the premises of the correctional facility or jail.

### **LD 1171 An Act To Curtail No-knock Warrants**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 267 defines "no-knock warrant" as a warrant that authorizes execution of the warrant without the law enforcement officer first announcing the authority for the execution of the warrant and the purpose of the warrant. The law provides that any warrant that is executed without waiting at least 20 seconds after the announcement of authority and purpose before making entry is a no-knock warrant. The law prohibits the use of no-knock warrants, except in the event of imminent risk of death or bodily injury to persons and when a recognized exception to the warrant requirement, such as exigent circumstances, allows unannounced entry. The law requires an officer executing a no-knock warrant to wear an official uniform and, if provided by the officer's law enforcement agency, a body-worn camera worn in accordance with agency policies. The law limits the use of stun grenade, stun distraction or other similar devices during the execution of a no-knock warrant to officers trained in the use of such a device during the execution of the warrant.

### **LD 1245 An Act To Ensure the Provision of Appropriate Personal Protective Equipment to Firefighters**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 442 requires each municipal fire department and volunteer fire association to provide properly fitting protective clothing and equipment to firefighters. The equipment must meet or exceed the requirements of the United States Department of Labor, Occupational Safety and Health Administration or the National Fire Protection Association. The

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

firefighters are required to use the protective equipment whenever exposed to the hazards for which that equipment is provided. The protective equipment must consist of protective clothing, helmet ensemble, foot, hand and hearing protection, self-contained breathing apparatus, personal alert safety systems and fire service life safety rope, harness and hardware. The law requires the Department of Labor, Bureau of Labor Standards to notify municipal fire departments and volunteer fire departments and associations of the requirements to provide appropriate firefighting protective equipment and the commercial availability of firefighting protective equipment for females.

Public Law 2021, chapter 442 was enacted as an emergency measure effective July 9, 2021.

### **LD 1290 An Act To Amend the Statement of Purpose of the Maine Emergency Medical Services Act of 1982 To Include Emergency Responses That Do Not Require Transportation**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 159 amends the statutory purpose of the Maine Emergency Medical Services Act of 1982 to provide that the treatment and nontransport of the sick and injured is a key element of an emergency medical services system.

### **LD 1313 An Act To Clarify Who Signs and Swears to a Certificate Stating the Results of a Breath-alcohol Test**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 204 clarifies that a certificate of a chemical analysis of a breath-alcohol test with respect to a motor vehicle offense may be used as prima facie evidence only if the certificate is issued by the qualified person who administered the test.

### **LD 1316 An Act To Provide Funding for the Maine Length of Service Award Program**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 444 provides funding for the Maine Fire Protection Services Commission to be used for the Maine Length of Service Award Program to provide length of service awards to eligible volunteer firefighters and emergency medical services personnel. Funding is provided in the amount of \$500,000 for fiscal year 2021-22.