

MAINE STATE LEGISLATURE

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STATE OF MAINE
131ST 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**

October 2023

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STATE OF MAINE
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**LEGISLATIVE DIGEST OF BILLS AND
SUMMARIES OF ENACTED LAWS**

This *Legislative Digest of Bills and Summaries of Enacted Laws* provides the disposition of all LDs and summaries of all laws enacted or finally passed during the First Regular and First Special Sessions of the 131st Maine Legislature. Please note that all LDs and proposed amendments may be found through the Legislature’s webpage, and each includes a summary of what the bill or amendment proposed.

The *Legislative Digest of Bills and Summaries of Enacted Laws* is arranged alphabetically by committee. Within each committee section is a subject index of all LDs considered by that committee as well as a digest of the LDs, arranged by LD number. Also included are enacted law summaries of the LDs enacted or finally passed. Brief analyst notes on certain LDs are also included: a committee digest will indicate if additional notes are provided for an LD. These notes add information staff found useful and may provide useful information to users of this *Digest*; please note that most LDs do not have a note and lack of a note should not be interpreted as having any significance. A separate section of the *Digest* provides a digest of the relatively few LDs that were not referred to a committee or reported from a committee as a committee bill; enacted law summaries of the LDs enacted or finally passed are provided. Finally, an appendix provides a summary of relevant session statistics.

The final disposition of each LD is noted in the relevant summary digest and index. 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 and First Special Sessions of the 131st Legislature is Thursday, June 29, 2023 and Wednesday, October 25, 2023, respectively. 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 39 An Act to Amend the Maine Juvenile Code

ENACTED LAW SUMMARY

Public Law 2023, chapter 136 makes the following changes to the Maine Juvenile Code.

1. It changes the definition of juvenile in the Maine Juvenile Code to mean “a person who had not attained 18 years of age at the time the person allegedly committed a juvenile crime.”
2. It requires a juvenile court to provide notice of a detention hearing to the juvenile’s parent or parents, guardian or legal custodian if the juvenile is not emancipated, and allows the court to conduct a detention hearing in the absence of the juvenile’s parent or parents, guardian or legal custodian if the court is unable to provide them notice or if they fail to appear after receiving notice.
3. It changes provisions of law concerning how to calculate the period of time when a juvenile is ordered to serve a 30-day or less period of confinement in a juvenile facility, counting the day the juvenile is received into the facility as the first full day of the period of confinement, regardless of when the juvenile arrived at the facility, and allowing a juvenile to be released at any time on the last day of the period of confinement.
4. It corrects a cross reference with respect to juvenile probation conditions.
5. It adds cross-references with respect to the payment and collection of juvenile restitution.
6. It requires a juvenile court to provide a copy of the report of the State Forensic Service examiner to the Department of Health and Human Services if the department will be involved with the juvenile following a competency hearing.
7. It requires that a juvenile who is a runaway, absconder, escapee or accused offender from another state be referred by a law enforcement officer to a juvenile community corrections officer for processing according to the provisions of the Interstate Compact for Juveniles.

LD 42 An Act Regarding Training for Corrections Officers

ENACTED LAW SUMMARY

Public Law 2023, chapter 341 provides the Board of Trustees of the Maine Criminal Justice Academy with the power and duty to approve a separate basic training course and certification standards for juvenile corrections officers, and requires a corrections officer who is certified and an employee of a county or regional jail or state adult correctional facility on the date the board adopts a separate basic training course and certifications standards for juvenile corrections officers to be certified as an adult corrections officer.

JOINT STANDING COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

Provisions of the original bill that pertained to the Commissioner of Corrections' role in death benefit determinations were removed from by committee amendment and incorporated into the final enacted version of LD 439. See Criminal Justice and Public Safety, LD 439.

LD 47 An Act to Amend the Law Governing Licensing Actions of the Emergency Medical Services' Board

ENACTED LAW SUMMARY

Public Law 2023, chapter 111 removes an outdated reference to the revocation of a license in the laws governing the licensing actions of the Emergency Medical Services' Board.

Public Law 2023, chapter 111 was enacted as an emergency measure effective June 1, 2023.

LD 95 An Act Concerning the Membership of the State Emergency Response Commission and Fees for Registering Facilities Required to Report to That Commission

ENACTED LAW SUMMARY

Public Law 2023, chapter 62 authorizes a designee of the Director of the Maine Emergency Management Agency within the Department of Defense, Veterans and Emergency Management to serve as chair of the State Emergency Response Commission. It also increases the maximum fee for registering a facility that is required by federal law to report to the commission from \$50 to \$100.

LD 96 An Act to Ensure Release of Relevant Background Investigation Material to Current Employers of Law Enforcement and Corrections Officers

ENACTED LAW SUMMARY

Public Law 2023, chapter 84 makes the following changes to laws concerning when a law enforcement officer or corrections officer applies for new employment.

1. It requires when a law enforcement officer or corrections officer who is employed by a law enforcement agency, correctional facility or county or regional jail, or who was employed within 90 days prior to making an application for employment, applies for a new position with a law enforcement agency, correctional facility or county or regional jail, the applicant is required to sign a release waiving the applicant's rights to privacy in the exchange of information resulting from a background investigation or polygraph examination conducted for the purposes of an employment application.
2. It adds the results of a background investigation, in addition to those of a polygraph examination, to the requirement that when an examination performed on a law enforcement