

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
131<sup>ST</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**

October 2023

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**STATE OF MAINE**  
131<sup>ST</sup> LEGISLATURE  
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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.

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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

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officer or corrections officer applying for new employment indicates probable cause to believe the applicant is or has been involved in criminal activity, those results must be released to the head of the law enforcement agency, correctional facility or county or regional jail that employs the applicant.

3. It provides immunity from civil or criminal liability to the head of law enforcement agency, correctional facility or county or regional jail that conducted a background investigation or polygraph examination, or for whom the investigation or examination was conducted, for sharing the information gathered from the investigation or examination with the head of the law enforcement agency, correctional facility or county or regional jail that employs the applicant.

### **LD 115 An Act to Protect Minors from Exploitation by Adults for Violation of Privacy**

#### **ENACTED LAW SUMMARY**

Public Law 2023, chapter 227 adds an additional instance of the crime of violation of privacy when the offender violates one of the existing instances of the crime of violation of privacy and the person subject to the violation has not in fact attained 16 years of age. It also requires a person convicted of violation of privacy to register as a Tier 1 sex offender when the violation is done for the purpose of arousing or gratifying the sexual desire of that person or another person and the person subject to the violation has not in fact attained 16 years of age.

### **LD 155 An Act Regarding Community-based Services for Youth Involved in the Juvenile Justice System**

#### **ENACTED LAW SUMMARY**

Public Law 2023, chapter 425 does the following.

1. It establishes a working group in the Children's Cabinet consisting of the Department of Corrections and the Department of Health and Human Services to promote coordination in the provision of services to juveniles involved in the juvenile justice system and to examine other states in regard to best practices and organizational structures for juvenile justice services.
2. It requires the Department of Corrections to develop and publish data regarding the number of juveniles involved in the juvenile justice system.
3. It requires the Department of Corrections to submit an annual report in person to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters regarding the diversion of youths out of the juvenile justice system and expanding access to community-based therapeutic services for juveniles.