

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/>

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*Joint Standing Committee on Criminal Justice and Public Safety*

**SUBJECT INDEX**

**Building Code**

**Enacted**

LD 346 An Act Requiring the Use of Propane and Natural Gas Detectors PUBLIC 194

LD 1364 Resolve, To Study Incentives for Residential Fire Sprinkler Systems RESOLVE 97

**Not Enacted**

LD 1473 An Act To Exempt Land-based Aquaculture Facilities from the  
Maine Uniform Building and Energy Code Requirements ONTP

**Criminal History Record Information/DNA/Forensics**

**Not Enacted**

LD 758 Resolve, To Study Streamlining the Background Check Process for  
State-licensed Professions That Require Background Checks ONTP

**Criminal Law**

**Enacted**

LD 491 An Act To Give Special Weight to Discriminatory Motive in  
Sentencing for False Public Alarm or Report PUBLIC 170

LD 536 An Act To Amend the Maine Criminal Code PUBLIC 299

LD 1021 An Act To Expand the Crime of Violation of Privacy To Include  
Observing or Photographing Images Inside a Private Place That  
Would Not Ordinarily Be Visible Outside That Place PUBLIC 373

LD 1043 An Act Concerning the Unannounced Execution of Search Warrants PUBLIC 342

LD 1171 An Act To Curtail No-knock Warrants PUBLIC 267

LD 1478 An Act To Require the Use of Homelessness Crisis Protocols by Law Enforcement Agencies PUBLIC 393

**Not Enacted**

LD 15 An Act To Amend the Intelligence and Investigative Record Information Act To Ensure Government Transparency and To Protect the Privacy and Safety of the Public Leave to Withdraw Pursuant to Joint Rule 310

LD 369 An Act To Criminalize Recording an Incident in Progress but Failing To Report the Incident Immediately to the Appropriate Authority ONTP

LD 417 An Act To Protect Maine's Drivers from Pretextual Traffic Stops Veto Sustained

LD 439 An Act To Amend the Provisions Concerning the Crime of Gross Sexual Assault ONTP

LD 710 An Act Regarding the Maine Criminal Code and a Period of Suspension under the Motor Vehicle Statutes Veto Sustained

LD 829 An Act To Promote Highway Safety by Restricting the Use of Marijuana and Possession of an Open Marijuana Container in a Motor Vehicle Majority (ONTP) Report

LD 847 An Act To Divert Young Adults from the Adult Criminal Justice System Veto Sustained

LD 852 Resolve, To Review Public Safety around School Buses and School Bus Stops ONTP

LD 1016 An Act To Ensure That Assemblies, Protests and Demonstrations in Maine Remain Peaceful Majority (ONTP) Report

LD 1070 An Act To Make Assault on a Person 50 Years of Age or Older with a Preexisting Serious Medical Condition a Class C Crime ONTP

LD 1127 An Act To Prohibit the Use of "No-knock" Warrants ONTP

LD 1138	An Act To Ensure the Right to Self-defense Exists outside the Home by Removing the Requirement To Retreat	Majority (ONTP) Report
LD 1192	An Act Concerning the Composition of the Criminal Law Advisory Commission	ONTP
LD 1351	An Act To Amend Certain Provisions of the Maine Criminal Code and the Maine Bail Code	ONTP
LD 1604	An Act To Reclassify Certain Offenses under the Inland Fisheries and Wildlife Laws and Motor Vehicle Laws and Increase the Efficiency of the Criminal Justice System	CARRIED OVER
LD 1607	An Act To Criminalize Calls Made to Emergency Services Based on Racial Profiling	ONTP

### *Criminal Procedure/Bail/Sentencing*

**Enacted**

LD 801	An Act Regarding Sentencing Options for a Person Convicted of a Crime Committed While Serving a Term of Imprisonment	PUBLIC 260
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### *Department of Corrections*

**Enacted**

LD 782	An Act To Implement the Recommendations of the Department of Corrections for Certified Batterer Intervention Programming	PUBLIC 174
LD 963	An Act To Ensure Culturally Informed Programs and Services for Adjudicated Juveniles in the Custody of the Department of Corrections	PUBLIC 339

**Not Enacted**

LD 271	An Act To Recruit and Retain Department of Corrections Facilities Support Staff	ONTP
LD 1683	Resolve, To Compensate Certain Department of Corrections Employees and Department of Health and Human Services Employees for Hazardous Work	CARRIED OVER

## Domestic Violence

### Enacted

- |         |  |            |
|---------|--|------------|
| LD 1408 | An Act To Increase the Protection of Children from Domestic Abuse and Violence                                     | PUBLIC 351 |
| LD 1491 | An Act To Ensure Access to and Availability of Violence Intervention Services To Reduce Domestic Violence in Maine | PUBLIC 448 |

## Drugs

### Enacted

- |         |   |             |
|---------|---|-------------|
| 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 | PUBLIC 296  |
| LD 994  | An Act To Promote Public Health by Eliminating Criminal Penalties for Possession of Hypodermic Apparatuses  | PUBLIC 434  |
| LD 1588 | Resolve, To Replace Certain Stigmatizing Language in the Maine Revised Statutes with Respectful Language  | RESOLVE 120 |
| LD 1675 | An Act To Amend Certain Provisions of Maine's Drug Laws   | PUBLIC 396  |

### Not Enacted

- |         |   |                     |
|---------|---|---------------------|
| LD 967  | An Act To Make Possession of Scheduled Drugs for Personal Use a Civil Penalty | Died Between Houses |
| LD 1035 | An Act To Prohibit Maintaining Drug-involved Premises                         | ONTP                |

## Firearms/Concealed Firearms

### Enacted

- |        |  |            |
|--------|--|------------|
| LD 759 | An Act To Amend the Child Endangerment Laws To Include Certain Unauthorized Access to a Loaded Firearm           | PUBLIC 388 |
| LD 884 | An Act To Restrict the Collection of Surveillance Video, Information and Data Regarding Lawful Firearm Purchases | PUBLIC 384 |

LD 1170 An Act Regarding Unauthorized Possession of a Firearm in a Correctional Facility or Jail PUBLIC 266

**Not Enacted**

LD 976 An Act To Amend the Definition of "Machine Gun" To Include Bump Stock Devices Majority (ONTP) Report

LD 999 An Act Regarding Background Checks for the Sale of Firearms Minority (ONTP) Report

LD 1052 An Act To Protect the Firearm Use and Possession Rights of Maine Citizens during an Emergency Died Between Houses

LD 1286 Resolve, Directing the Department of Public Safety To Apply for an Exemption from Background Checks for Holders of Concealed Weapons Permits ONTP

LD 1315 An Act To Protect Firearm Use and Possession Rights during a State of Emergency and Require a Two-thirds Vote by the Legislative Council To Declare or Extend a State of Emergency Majority (ONTP) Report

LD 1446 An Act To Aid Municipalities in the Issuance of Concealed Handgun Permits CARRIED OVER

LD 1454 An Act To Prohibit Untraceable and Undetectable Firearms Minority (ONTP) Report

**Firefighters**

**Enacted**

LD 242 An Act To Support the Maine Fire Protection Services Commission PUBLIC 413

LD 1245 An Act To Ensure the Provision of Appropriate Personal Protective Equipment to Firefighters PUBLIC 442

LD 1316 An Act To Provide Funding for the Maine Length of Service Award Program PUBLIC 444

**Not Enacted**

LD 1440 An Act To Provide Safe Gear for Female Firefighters CARRIED OVER

LD 1504 An Act To Enhance Use of Critical Incident Stress Management Teams for Firefighters CARRIED OVER

### *Fireworks*

#### **Enacted**

LD 180. Resolve, Regarding the Storage of Consumer Fireworks RESOLVE 96

#### **Not Enacted**

LD 1307 An Act To Restrict the Sale, Purchase and Use of Fireworks in the State CARRIED OVER

LD 1307 An Act To Restrict the Sale, Purchase and Use of Fireworks in the State CARRIED OVER

LD 1348 An Act To Limit the Decibel Level of Fireworks Near Working Farms CARRIED OVER

### *Juveniles*

#### **Not Enacted**

LD 546 An Act To Implement the Recommendations of the Maine Juvenile Justice System Assessment and Reinvestment Task Force CARRIED OVER

LD 756 An Act Regarding Criminal Services for Juveniles CARRIED OVER

LD 1668 Resolve, To Develop a Plan To Close the Long Creek Youth Development Center and Redirect Funding to Community Integration Services for Adjudicated Youth Veto Sustained

### *Law Enforcement*

#### **Enacted**

LD 58 An Act To Improve Information Sharing by Criminal Justice Agencies with Government Agencies Responsible for Investigating Child or Adult Abuse PUBLIC 252

LD 573 An Act Concerning Records of the Employment of Law Enforcement Officers and Corrections Officers PUBLIC 256

LD 894 An Act To Increase Government Accountability by Removing the Restriction on the Dissemination of Information Regarding Investigations PUBLIC 153

LD 1040 An Act To Require Diversity, Equity and Inclusion Training or Implicit Bias Training for School Resource Officers PUBLIC 156

LD 1585 An Act To Increase Privacy and Security by Regulating the Use of Facial Surveillance Systems by Departments, Public Employees and Public Officials PUBLIC 394

**Not Enacted**

LD 539 An Act To Require Law Enforcement Agencies To Do a Thorough Background Check of Applicant Officers and To Require the Release of Records, Including Sealed Records, to the Requesting Agency ONTP

LD 928 An Act To Require Adequate Training for Police Officers Who Use Speed Measurement Devices ONTP

LD 1179 An Act To Restrict Maine Law Enforcement Participation in Federal Firearm Confiscation or Buy-back Programs without Legislative Approval Majority (ONTP) Report

LD 1250 An Act To Allow Law Enforcement Officers with Federal Law Enforcement Officers Safety Act Clearance To Carry a Concealed Weapon ONTP

LD 1422 An Act To Strengthen Laws Protecting Members of Law Enforcement and Promote In-classroom Drug Use Avoidance Education Majority (ONTP) Report

LD 1447 An Act To Require Training in Racial Issues, Racial Justice and Social Issues at the Maine Criminal Justice Academy and To Establish Additional Requirements for Law Enforcement Officers and Candidates CARRIED OVER

**Maine Emergency Management Agency**

**Enacted**

LD 764 An Act To Authorize the Maine Emergency Management Agency To Requisition Food Supplies for Emergency Use or Special Duty Assignments PUBLIC 431

**OUI/OAS/Other MV Violations**

**Enacted**

LD 1313 An Act To Clarify Who Signs and Swears to a Certificate Stating the Results of a Breath-alcohol Test PUBLIC 204

**Not Enacted**

LD 893 An Act To Enable Motor Vehicle Technicians To Safely Disable Breathalyzer Starter Devices ONTP

LD 1479 An Act To Make Certain Traffic Infractions Secondary Offenses CARRIED OVER

**Prison/Jail/Inmate**

**Enacted**

LD 419 An Act Regarding Voluntary Participation in Work Projects by Inmates Who Are Pretrial, Presentence and Sentenced PUBLIC 169

LD 521 An Act To Modify the Rule-making Process for Establishing County and Municipal Jail Standards PUBLIC 171

LD 661 An Act To Ensure Equity in Petitions for Rulemaking under the Maine Administrative Procedure Act PUBLIC 257

LD 663 Resolve, Establishing a Comprehensive Substance Use Disorder Treatment Pilot Program for Maine's Incarcerated Population RESOLVE 113

LD 769 An Act To Increase the Availability of Mental Health Services for a Defendant Who Has Been Found Incompetent To Stand Trial PUBLIC 259

LD 1044 An Act To Protect the Rights of Certain Incarcerated Individuals PUBLIC 263

LD 1593 An Act To Provide Pathways to Rehabilitation, Reentry and Reintegration PUBLIC 376

LD 1674 An Act To Improve Access to Medical Care for and Expand the Rights of Adult Clients of State Correctional Facilities PUBLIC 359

**Not Enacted**

LD 13 An Act To Coordinate the Delivery of Individuals Committed to the Department of Corrections ONTP

LD 279 An Act To Protect Persons Detained or Committed in a Correctional or Detention Facility from Excessive Telephone or Video Charges Leave to Withdraw Pursuant to Joint Rule 310

LD 476 An Act To Provide Licensed Assisted Living and Nursing Facilities Levels of Care for Incarcerated Persons CARRIED OVER

LD 696 An Act To Prohibit Solitary Confinement in Maine's Corrections System CARRIED OVER

LD 1128 An Act Relating to Personnel Working in Public Safety Died Between Houses

LD 1154 An Act To Improve the Safety of Prisoners and Jail Staff by Limiting Work Hours of Jail Employees CARRIED OVER

LD 1175 An Act To Prohibit Excessive Telephone, Video and Commissary Charges in Maine Jails and Prisons CARRIED OVER

LD 1552 An Act To Provide Reentry Services to Persons Reentering the Community after Incarceration CARRIED OVER

LD 1654 An Act To Stabilize State Funding for County Corrections CARRIED OVER

LD 1721 An Act Regarding Dignity for Women in Correctional Facilities CARRIED OVER

**Public Safety/Emergency Medical Services**

**Enacted**

LD 12 An Act To Require Annual Information Reporting by the Maine Information and Analysis Center PUBLIC 164

LD 28	An Act To Update the Silver Alert Program To Include Missing Endangered Persons	PUBLIC 62
LD 505	An Act To Expand the Disciplinary Authority of the Board of Trustees of the Maine Criminal Justice Academy	PUBLIC 255
LD 513	An Act Regarding the Citizen Members and the Complaint Review Committee of the Board of Trustees of the Maine Criminal Justice Academy	PUBLIC 196
LD 514	An Act To Establish and Promote a System of Safe Disposal of Expired Marine Flares	PUBLIC 422
LD 763	An Act To Allow State Vehicles Assigned to Certain Maine Emergency Management Agency Employees To Be Used for Commuting	PUBLIC 258
LD 797	An Act To Create a Registry To Improve Access to Automated External Defibrillators	PUBLIC 82
LD 1078	An Act To Promote Traffic Safety in Emergency Situations	PUBLIC 85
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	PUBLIC 159
LD 1605	An Act To License Ambulance Drivers Who Are Not Licensed To Provide Emergency Medical Services	PUBLIC 220
LD 1699	An Act To Establish the Southern Aroostook County Emergency Medical Services Authority	P & S 12
<b>Not Enacted</b>		
LD 400	An Act To Modify the Composition of the Board of Trustees of the Maine Criminal Justice Academy	ONTP
LD 438	An Act To Increase Public Safety by Adding a Position to the Computer Crimes Unit of the Maine State Police	ONTP

LD 1092	An Act To Expand the Board of Trustees of the Maine Criminal Justice Academy To Include 6 Members of the Public Who Are Not Employed as Any Type of Law Enforcement Personnel and To Require a Public Review of the Training Syllabus	ONTP
LD 1278	An Act To End the Maine Information and Analysis Center Program	Died Between Houses
LD 1298	An Act To Provide Funds for Community-based Substance Use Disorder Treatment and Recovery Services and To Reduce by Half the Funding for the Maine Drug Enforcement Agency	Died On Adjournment

**Sex Offenses -- Criminal**

**Enacted**

LD 1486	An Act To Improve Investigations of Child Sexual Abuse	PUBLIC 447
LD 1715	An Act To Amend the Laws Prohibiting Teachers, Employees and Other Officials from Engaging in Sexual Activity with Students	PUBLIC 360

**Not Enacted**

LD 877	An Act To Expand the Definition of Unlawful Sexual Touching	Died Between Houses
LD 1592	An Act To Remove Punishments for Sex Selling and Decrease Demand by Increasing Penalties for Sex Buying	Veto Sustained

**DIGEST OF BILLS AND SUMMARIES OF ENACTED LAWS**  
**130th Legislature, First Regular and First Special Sessions - 2021**

**DIGEST OF BILLS**

PL = Public Law; P&SL = Private and Special Law;  
 RESLV = Resolve; CON RES = Constitutional Resolution;  
 IB = Initiated Bill

*Bills Referred to*

**Criminal Justice and Public Safety (CJPS)**

Comm	LD	Title	Comm Action	Carried over?	Final Disposition	Enacted Laws		Sess
						Law	Ch	
CJPS	12	An Act To Require Annual Information Reporting by the Maine Information and Analysis Center	Reported Out	OTP/ AM	Enacted	PL	164	S1
CJPS	13	An Act To Coordinate the Delivery of Individuals Committed to the Department of Corrections	Reported Out	ONTP	Ought Not to Pass Pursuant to Joint Rule 310			S1
CJPS	15	An Act To Amend the Intelligence and Investigative Record Information Act To Ensure Government Transparency and To Protect the Privacy and Safety of the Public	Reported Out	LTW	Leave to Withdraw Pursuant to Joint Rule 310			R1
CJPS	28	An Act To Update the Silver Alert Program To Include Missing Endangered Persons	Reported Out	OTP-AM	Enacted	PL	62	S1
CJPS	58	An Act To Improve Information Sharing by Criminal Justice Agencies with Government Agencies Responsible for Investigating Child or Adult Abuse	Reported Out	OTP-AM/ ONTP	Enacted	PL	252	S1
CJPS	180	Resolve, Regarding the Storage of Consumer Fireworks	Reported Out	OTP-AM/ ONTP	Finally Passed	RESLV	96	S1
CJPS	242	An Act To Support the Maine Fire Protection Services Commission	Reported Out	OTP-AM	Enacted	PL	413	S1
CJPS	271	An Act To Recruit and Retain Department of Corrections Facilities Support Staff	Reported Out	ONTP	Ought Not to Pass Pursuant to Joint Rule 310			S1
CJPS	279	An Act To Protect Persons Detained or Committed in a Correctional or Detention Facility from Excessive Telephone or Video Charges	Reported Out	LTW	Leave to Withdraw Pursuant to Joint Rule 310			R1
CJPS	346	An Act Requiring the Use of Propane and Natural Gas Detectors	Reported Out	OTP-AM	Enacted	PL	194	S1
CJPS	369	An Act To Criminalize Recording an Incident In Progress but Failing To Report the Incident Immediately to the Appropriate Authority	Reported Out	ONTP	Ought Not to Pass Pursuant to Joint Rule 310			R1

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Criminal Justice and Public Safety (CJPS)

Comm	LD	Title	Comm Action		Carried over?	Final Disposition	Enacted Laws		Sess
							Law	Ch	
CJPS	400	An Act To Modify the Composition of the Board of Trustees of the Maine Criminal Justice Academy	Reported Out	ONTP		Ought Not to Pass Pursuant to Joint Rule 310			\$1
CJPS	417	An Act To Protect Maine's Drivers from Pretextual Traffic Stops	Reported Out	OTP-AM/ ONTP		Veto Sustained			\$1
CJPS	419	An Act Regarding Voluntary Participation in Work Projects by Inmates Who Are Pretrial, Presentence and Sentenced	Reported Out	OTP-AM/ OTP-AM		Enacted	PL	169	\$1
CJPS	438	An Act To Increase Public Safety by Adding a Position to the Computer Crimes Unit of the Maine State Police	Reported Out	ONTP		Ought Not to Pass Pursuant to Joint Rule 310			\$1
CJPS	439	An Act To Amend the Provisions Concerning the Crime of Gross Sexual Assault	Reported Out	ONTP		Ought Not to Pass Pursuant to Joint Rule 310			\$1
CJPS	476	An Act To Provide Licensed Assisted Living and Nursing Facilities Levels of Care for Incarcerated Persons	Carry Over Approved		Carried Over In Comm				\$1
CJPS	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	Reported Out	OTP-AM		Enacted	PL	296	\$1
CJPS	491	An Act To Give Special Weight to Discriminatory Motive in Sentencing for False Public Alarm or Report	Reported Out	OTP-AM		Enacted	PL	170	\$1
CJPS	505	An Act To Expand the Disciplinary Authority of the Board of Trustees of the Maine Criminal Justice Academy	Reported Out	OTP-AM		Enacted	PL	255	\$1
CJPS	513	An Act Regarding the Citizen Members and the Complaint Review Committee of the Board of Trustees of the Maine Criminal Justice Academy	Reported Out	OTP-AM		Enacted	PL	196	\$1
CJPS	514	An Act To Establish and Promote a System of Safe Disposal of Expired Marine Flares	Reported Out	OTP-AM		Enacted	PL	422	\$1
CJPS	521	An Act To Modify the Rule-making Process for Establishing County and Municipal Jail Standards	Reported Out	OTP-AM		Enacted	PL	171	\$1
CJPS	536	An Act To Amend the Maine Criminal Code	Reported Out	OTP-AM/ ONTP		Enacted	PL	299	\$1
CJPS	539	An Act To Require Law Enforcement Agencies To Do a Thorough Background Check of Applicant Officers and To Require the Release of Records, Including Sealed Records, to the Requesting Agency	Reported Out	ONTP		Ought Not to Pass Pursuant to Joint Rule 310			\$1

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Comm	LD	Title	Comm Action		Carried over?	Final Disposition	Enacted Laws		Sess
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CJPS	546	An Act To Implement the Recommendations of the Maine Juvenile Justice System Assessment and Reinvestment Task Force	Reported Out	OTP-AM/ ONTP	Carried On Approps Table				S1
CJPS	573	An Act Concerning Records of the Employment of Law Enforcement Officers and Corrections Officers	Reported Out	OTP-AM/ ONTP		Enacted	PL	256	S1
CJPS	661	An Act To Ensure Equity in Petitions for Rulemaking under the Maine Administrative Procedure Act	Reported Out	OTP-AM		Enacted	PL	257	S1
CJPS	663	Resolve, Establishing a Comprehensive Substance Use Disorder Treatment Pilot Program for Maine's Incarcerated Population	Reported Out	OTP-AM/ OTP-AM/ ONTP		Finally Passed	RESLV	113	S1
CJPS	696	An Act To Prohibit Solitary Confinement in Maine's Corrections System	Carry Over Approved		Carried Over In Comm				S1
CJPS	710	An Act Regarding the Maine Criminal Code and a Period of Suspension under the Motor Vehicle Statutes	Reported Out	OTP-AM		Veto Sustained			S1
CJPS	756	An Act Regarding Criminal Services for Juveniles	Carry Over Approved		Carried Over In Comm				S1
CJPS	758	Resolve, To Study Streamlining the Background Check Process for State-licensed Professions That Require Background Checks	Reported Out	ONTP		Ought Not to Pass Pursuant to Joint Rule 310			S1
CJPS	759	An Act To Amend the Child Endangerment Laws To Include Certain Unauthorized Access to a Loaded Firearm	Reported Out	OTP-AM/ ONTP		Enacted	PL	388	S1
CJPS	763	An Act To Allow State Vehicles Assigned to Certain Maine Emergency Management Agency Employees To Be Used for Commuting	Reported Out	OTP-AM/ ONTP		Enacted	PL	258	S1
CJPS	764	An Act To Authorize the Maine Emergency Management Agency To Requisition Food Supplies for Emergency Use or Special Duty Assignments	Reported Out	OTP-AM		Enacted	PL	431	S1
CJPS	769	An Act To Increase the Availability of Mental Health Services for a Defendant Who Has Been Found Incompetent To Stand Trial	Reported Out	OTP-AM		Enacted	PL	259	S1
CJPS	782	An Act To Implement the Recommendations of the Department of Corrections for Certified Batterer Intervention Programming	Reported Out	OTP-AM		Enacted	PL	174	S1
CJPS	797	An Act To Create a Registry To Improve Access to Automated External Defibrillators	Reported Out	OTP		Enacted	PL	82	S1
CJPS	801	An Act Regarding Sentencing Options for a Person Convicted of a Crime Committed While Serving a Term of Imprisonment	Reported Out	OTP-AM		Enacted	PL	260	S1

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Criminal Justice and Public Safety (CJPS)

Comm	LD	Title	Comm Action		Carried over?	Final Disposition	Enacted Laws		Sess
							Law	Ch	
CJPS	829	An Act To Promote Highway Safety by Restricting the Use of Marijuana and Possession of an Open Marijuana Container in a Motor Vehicle	Reported Out	ONTP/ OTP-AM		Accepted Majority (ONTP) Report			S1
CJPS	847	An Act To Divert Young Adults from the Adult Criminal Justice System	Reported Out	OTP-AM/ ONTP		Veto Sustained			S1
CJPS	852	Resolve, To Review Public Safety around School Buses and School Bus Stops	Reported Out	ONTP		Ought Not to Pass Pursuant to Joint Rule 310			S1
CJPS	877	An Act To Expand the Definition of Unlawful Sexual Touching	Reported Out	ONTP/ OTP		Died Between Houses			S1
CJPS	884	An Act To Restrict the Collection of Surveillance Video, Information and Data Regarding Lawful Firearm Purchases	Reported Out	OTP-AM/ ONTP		<u>Enacted</u>	<u>PL</u>	<u>384</u>	S1
CJPS	893	An Act To Enable Motor Vehicle Technicians To Safely Disable Breathalyzer Starter Devices	Reported Out	ONTP		Ought Not to Pass Pursuant to Joint Rule 310			S1
CJPS	894	An Act To Increase Government Accountability by Removing the Restriction on the Dissemination of Information Regarding Investigations	Reported Out	OTP/ ONTP		<u>Enacted</u>	<u>PL</u>	<u>153</u>	S1
CJPS	928	An Act To Require Adequate Training for Police Officers Who Use Speed Measurement Devices	Reported Out	ONTP		Ought Not to Pass Pursuant to Joint Rule 310			S1
CJPS	963	An Act To Ensure Culturally Informed Programs and Services for Adjudicated Juveniles in the Custody of the Department of Corrections	Reported Out	OTP-AM/ ONTP		<u>Enacted</u>	<u>PL</u>	<u>339</u>	S1
CJPS	967	An Act To Make Possession of Scheduled Drugs for Personal Use a Civil Penalty	Reported Out	OTP-AM/ ONTP/ OTP-AM		Died Between Houses			S1
CJPS	976	An Act To Amend the Definition of "Machine Gun" To Include Bump Stock Devices	Reported Out	ONTP/ OTP		Accepted Majority (ONTP) Report			S1
CJPS	994	An Act To Promote Public Health by Eliminating Criminal Penalties for Possession of Hypodermic Apparatuses	Reported Out	OTP-AM/ ONTP		<u>Enacted</u>	<u>PL</u>	<u>434</u>	S1
CJPS	999	An Act Regarding Background Checks for the Sale of Firearms	Reported Out	OTP/ ONTP		Accepted Minority (ONTP) Report			S1
CJPS	1016	An Act To Ensure That Assemblies, Protests and Demonstrations in Maine Remain Peaceful	Reported Out	ONTP/ OTP-AM		Accepted Majority (ONTP) Report			S1

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Bills Referred to

Criminal Justice and Public Safety (CJPS)

Comm	LD	Title	Comm Action	Carried over?	Final Disposition	Enacted Laws		Sess
						Law	Ch	
CJPS	1021	An Act To Expand the Crime of Violation of Privacy To Include Observing or Photographing Images Inside a Private Place That Would Not Ordinarily Be Visible Outside That Place	Reported Out OTP-AM/ ONTP		Enacted	PL	373	S1
CJPS	1035	An Act To Prohibit Maintaining Drug-involved Premises	Reported Out ONTP		Ought Not to Pass Pursuant to Joint Rule 310			S1
CJPS	1040	An Act To Require Diversity, Equity and Inclusion Training or Implicit Bias Training for School Resource Officers	Reported Out OTP-AM/ ONTP		Enacted	PL	156	S1
CJPS	1043	An Act Concerning the Unannounced Execution of Search Warrants	Reported Out OTP		Enacted	PL	342	S1
CJPS	1044	An Act To Protect the Rights of Certain Incarcerated Individuals	Reported Out OTP-AM/ ONTP		Enacted	PL	263	S1
CJPS	1052	An Act To Protect the Firearm Use and Possession Rights of Maine Citizens during an Emergency	Reported Out ONTP/ OTP		Died Between Houses			S1
CJPS	1070	An Act To Make Assault on a Person 50 Years of Age or Older with a Preexisting Serious Medical Condition a Class C Crime	Reported Out ONTP		Ought Not to Pass Pursuant to Joint Rule 310			S1
CJPS	1078	An Act To Promote Traffic Safety in Emergency Situations	Reported Out OTP		Enacted	PL	85	S1
CJPS	1092	An Act To Expand the Board of Trustees of the Maine Criminal Justice Academy To Include 6 Members of the Public Who Are Not Employed as Any Type of Law Enforcement Personnel and To Require a Public Review of the Training Syllabus	Reported Out ONTP		Ought Not to Pass Pursuant to Joint Rule 310			S1
CJPS	1127	An Act To Prohibit the Use of "No-knock" Warrants	Reported Out ONTP		Ought Not to Pass Pursuant to Joint Rule 310			S1
CJPS	1128	An Act Relating to Personnel Working in Public Safety	Reported Out OTP-AM/ OTP-AM		Died Between Houses			S1
CJPS	1138	An Act To Ensure the Right to Self-defense Exists outside the Home by Removing the Requirement To Retreat	Reported Out ONTP/ OTP-AM		Accepted Majority (ONTP) Report			S1
CJPS	1154	An Act To Improve the Safety of Prisoners and Jail Staff by Limiting Work Hours of Jail Employees	Carry Over Approved	Carried Over In Comm				S1
CJPS	1170	An Act Regarding Unauthorized Possession of a Firearm in a Correctional Facility or Jail	Reported Out OTP-AM		Enacted	PL	266	S1

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 RESLV = Resolve; CON RES = Constitutional Resolution;  
 IB = Initiated Bill

Bills Referred to

Criminal Justice and Public Safety (CJPS)

Comm	LD	Title	Comm Action	Carried over?	Final Disposition	Enacted Laws		Sess
						Law	Ch	
CJPS	1171	An Act To Curtail No-knock Warrants	Reported Out OTP-AM		Enacted	PL	267	S1
CJPS	1175	An Act To Prohibit Excessive Telephone, Video and Commissary Charges in Maine Jails and Prisons	Carry Over Approved	Carried Over In Comm				S1
CJPS	1179	An Act To Restrict Maine Law Enforcement Participation in Federal Firearm Confiscation or Buy-back Programs without Legislative Approval	Reported Out ONTP/ OTP-AM		Accepted Majority (ONTP) Report			S1
CJPS	1192	An Act Concerning the Composition of the Criminal Law Advisory Commission	Reported Out ONTP		Ought Not to Pass Pursuant to Joint Rule 310			S1
CJPS	1245	An Act To Ensure the Provision of Appropriate Personal Protective Equipment to Firefighters	Reported Out OTP-AM		Emergency Enacted	PL	442	S1
CJPS	1250	An Act To Allow Law Enforcement Officers with Federal Law Enforcement Officers Safety Act Clearance To Carry a Concealed Weapon	Reported Out ONTP		Ought Not to Pass Pursuant to Joint Rule 310			S1
CJPS	1278	An Act To End the Maine Information and Analysis Center Program	Reported Out ONTP/ OTP-AM		Died Between Houses			S1
CJPS	1286	Resolve, Directing the Department of Public Safety To Apply for an Exemption from Background Checks for Holders of Concealed Weapons Permits	Reported Out ONTP		Ought Not to Pass Pursuant to Joint Rule 310			S1
CJPS	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	Reported Out OTP		Enacted	PL	159	S1
CJPS	1298	An Act To Provide Funds for Community-based Substance Use Disorder Treatment and Recovery Services and To Reduce by Half the Funding for the Maine Drug Enforcement Agency	Reported Out OTP-AM/ ONTP		Died On Adjournment			S1
CJPS	1307	An Act To Restrict the Sale, Purchase and Use of Fireworks in the State	Carry Over Approved	Carried Over In Comm				S1
CJPS	1313	An Act To Clarify Who Signs and Swears to a Certificate Stating the Results of a Breath-alcohol Test	Reported Out OTP-AM		Enacted	PL	204	S1
CJPS	1315	An Act To Protect Firearm Use and Possession Rights during a State of Emergency and Require a Two-thirds Vote by the Legislative Council To Declare or Extend a State of Emergency	Reported Out ONTP/ OTP-AM		Accepted Majority (ONTP) Report			S1
CJPS	1316	An Act To Provide Funding for the Maine Length of Service Award Program	Reported Out OTP-AM		Enacted	PL	444	S1

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Bills Referred to

Criminal Justice and Public Safety (CJPS)

Comm	LD	Title	Comm Action		Carried over?	Final Disposition	Enacted Laws		Sess
							Law	Ch	
CJPS	1348	An Act To Limit the Decibel Level of Fireworks Near Working Farms	Carry Over Approved		Carried Over In Comm				\$1
CJPS	1351	An Act To Amend Certain Provisions of the Maine Criminal Code and the Maine Bail Code	Reported Out	ONTP		Ought Not to Pass Pursuant to Joint Rule 310			\$1
CJPS	1364	Resolve, To Study Incentives for Residential Fire Sprinkler Systems	Reported Out	OTP-AM/ ONTP		Finally Passed	RESLV	97	\$1
CJPS	1408	An Act To Increase the Protection of Children from Domestic Abuse and Violence	Reported Out	OTP-AM/ ONTP		Enacted	PL	351	\$1
CJPS	1422	An Act To Strengthen Laws Protecting Members of Law Enforcement and Promote In-classroom Drug Use Avoidance Education	Reported Out	ONTP/ OTP-AM		Accepted Majority (ONTP) Report			\$1
CJPS	1440	An Act To Provide Safe Gear for Female Firefighters	Reported Out	OTP-AM/ ONTP	Carried On Approps Table				\$1
CJPS	1446	An Act To Aid Municipalities in the Issuance of Concealed Handgun Permits	Carry Over Approved		Carried Over In Comm				\$1
CJPS	1447	An Act To Require Training in Racial Issues, Racial Justice and Social Issues at the Maine Criminal Justice Academy and To Establish Additional Requirements for Law Enforcement Officers and Candidates	Carry Over Approved		Carried Over In Comm				\$1
CJPS	1454	An Act To Prohibit Untraceable and Undetectable Firearms	Reported Out	OTP-AM/ ONTP		Accepted Minority (ONTP) Report			\$1
CJPS	1473	An Act To Exempt Land-based Aquaculture Facilities from the Maine Uniform Building and Energy Code Requirements	Reported Out	ONTP		Ought Not to Pass Pursuant to Joint Rule 310			\$1
CJPS	1478	An Act To Require the Use of Homelessness Crisis Protocols by Law Enforcement Agencies	Reported Out	OTP-AM/ ONTP		Enacted	PL	393	\$1
CJPS	1479	An Act To Make Certain Traffic Infractions Secondary Offenses	Carry Over Approved		Carried Over In Comm				\$1
CJPS	1486	An Act To Improve Investigations of Child Sexual Abuse	Reported Out	OTP-AM		Enacted	PL	447	\$1
CJPS	1491	An Act To Ensure Access to and Availability of Violence Intervention Services To Reduce Domestic Violence in Maine	Reported Out	OTP-AM/ ONTP		Enacted	PL	448	\$1
CJPS	1504	An Act To Enhance Use of Critical Incident Stress Management Teams for Firefighters	Carry Over Approved		Carried Over In Comm				\$1

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Bills Referred to

Criminal Justice and Public Safety (CJPS)

Comm	LD	Title	Comm Action	Carried over?	Final Disposition	Enacted Laws		Sess
						Law	Ch	
CJPS	1552	An Act To Provide Reentry Services to Persons Reentering the Community after Incarceration	Carry Over Approved		Carried Over In Comm			S1
CJPS	1585	An Act To Increase Privacy and Security by Regulating the Use of Facial Surveillance Systems by Departments, Public Employees and Public Officials	Reported Out	OTP-AM		Enacted	PL 394	S1
CJPS	1588	Resolve, To Replace Certain Stigmatizing Language in the Maine Revised Statutes with Respectful Language	Reported Out	OTP-AM/ ONTP		Finally Passed	RESLV 120	S1
CJPS	1592	An Act To Remove Punishments for Sex Selling and Decrease Demand by Increasing Penalties for Sex Buying	Reported Out	OTP-AM/ ONTP		Veto Sustained		S1
CJPS	1593	An Act To Provide Pathways to Rehabilitation, Reentry and Reintegration	Reported Out	OTP-AM/ ONTP		Enacted	PL 376	S1
CJPS	1604	An Act To Reclassify Certain Offenses under the Inland Fisheries and Wildlife Laws and Motor Vehicle Laws and Increase the Efficiency of the Criminal Justice System	Carry Over Approved		Carried Over In Comm			S1
CJPS	1605	An Act To License Ambulance Drivers Who Are Not Licensed To Provide Emergency Medical Services	Reported Out	OTP-AM		Enacted	PL 220	S1
CJPS	1607	An Act To Criminalize Calls Made to Emergency Services Based on Racial Profiling	Reported Out	ONTP		Ought Not to Pass Pursuant to Joint Rule 310		S1
CJPS	1654	An Act To Stabilize State Funding for County Corrections	Carry Over Approved		Carried Over In Comm			S1
CJPS	1668	Resolve, To Develop a Plan To Close the Long Creek Youth Development Center and Redirect Funding to Community Integration Services for Adjudicated Youth	Reported Out	OTP/ ONTP		Veto Sustained		S1
CJPS	1674	An Act To Improve Access to Medical Care for and Expand the Rights of Adult Clients of State Correctional Facilities	Reported Out	OTP-AM/ ONTP		Enacted	PL 359	S1
CJPS	1675	An Act To Amend Certain Provisions of Maine's Drug Laws	Reported Out	OTP-AM/ ONTP		Enacted	PL 396	S1
CJPS	1683	Resolve, To Compensate Certain Department of Corrections Employees and Department of Health and Human Services Employees for Hazardous Work	Reported Out	OTP-AM/ ONTP	Carried On Approps Table			S1
CJPS	1699	An Act To Establish the Southern Aroostook County Emergency Medical Services Authority	Reported Out	OTP-AM		Emergency Enacted	P&SL 12	S1

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*Bills Referred to*

**Criminal Justice and Public Safety (CJPS)**

Comm	LD	Title	Comm Action	Carried over?	Final Disposition	Enacted Laws		Sess
						Law	Ch	
CJPS	1715	An Act To Amend the Laws Prohibiting Teachers, Employees and Other Officials from Engaging in Sexual Activity with Students	Reported Out OTP-AM		Enacted	PL	360	S1
CJPS	1721	An Act Regarding Dignity for Women in Correctional Facilities	Carry Over Approved	Carried Over In Comm				S1

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

### **LD 12 An Act To Require Annual Information Reporting by the Maine Information and Analysis Center**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 164 requires the Department of Public Safety, Maine Information and Analysis Center to submit an annual report by April 1st each year, beginning in 2022, to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters regarding the performance of the center. The report must include a general narrative about the types of cases, crimes, incidents and reports the center has reviewed and evaluated in a manner that protects personal privacy and the integrity of the work of the center. The report must include both privacy audits performed in the prior year and de-identified information regarding the cases, crimes, incidents and reports on which the center worked during the prior year that were reviewed during the audits.

### **LD 28 An Act To Update the Silver Alert Program To Include Missing Endangered Persons**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 62 updates the existing Silver Alert Program within the Department of Public Safety to include missing endangered persons. "Missing endangered person" is defined as a person who is believed to be in danger because of the person's age, mental or physical health or intellectual or developmental disability, because of environmental or weather conditions or because the person is missing in dangerous, unexplained, involuntary or suspicious circumstances as determined by a local law enforcement agency.

### **LD 58 An Act To Improve Information Sharing by Criminal Justice Agencies with Government Agencies Responsible for Investigating Child or Adult Abuse**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 252 expands the authority of criminal justice agencies to share confidential intelligence and investigative record information with government agencies responsible for the investigation of abuse, neglect or exploitation of children or incapacitated or dependent adults in the following circumstances:

1. There must be a request regarding a named person or persons that relates to conduct that is criminal under the Maine Revised Statutes, Title 17-A, chapters 9, 11, 12, 13, 21, 23, 33, 35, 41, 43 or 45; and
2. The use of the information that is shared is limited to the purpose for which it was obtained or, as necessary, for administrative or ombudsman office oversight of the agency obtaining the information.

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

### **LD 180 Resolve, Regarding the Storage of Consumer Fireworks**

#### **ENACTED LAW SUMMARY**

Resolve 2021, chapter 96 directs the State Fire Marshal to convene a stakeholder group to review federal and state requirements for the storage of consumer fireworks by businesses that sell consumer fireworks and to report to the Joint Standing Committee on Criminal Justice and Public Safety by November 1, 2021 regarding the work of the stakeholder group and recommended legislation. The Joint Standing Committee on Criminal Justice and Public Safety is authorized to report out legislation to the Second Regular Session of the 130th Legislature regarding the storage of consumer fireworks.

### **LD 242 An Act To Support the Maine Fire Protection Services Commission**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 413 provides \$250,000 in fiscal year 2021-22 and \$78,147 in fiscal year 2022-23 for the Board of Trustees of the Maine Community College System to support the Maine Fire Service Institute. The Maine Fire Protection Services Commission will provide grants for construction and repair or replacement of regional live fire service training facilities.

### **LD 346 An Act Requiring the Use of Propane and Natural Gas Detectors**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 194 requires the installation of fuel gas detectors to detect propane, natural gas and liquified petroleum gas in every room containing an appliance fueled by propane, natural gas or any liquified petroleum gas. The requirement applies to owners of: multifamily occupancy buildings; fraternity houses, sorority houses and dormitories that are affiliated with educational facilities; children's homes, emergency children's shelters, children's residential care facilities, shelters for homeless children and specialized children's homes; hotels, motels and inns; mixed use occupancies that contain a dwelling unit; business occupancies; mercantile occupancies; and assembly occupancies. The law is modeled on the laws applicable to those same buildings or facilities with regard to smoke detectors and carbon monoxide detectors.

Public Law 2021, chapter 194 takes effect January 1, 2022, except that the provisions applicable to existing business occupancies, mercantile occupancies and assembly occupancies take effect January 1, 2026.

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**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

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

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.

# JOINT STANDING COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

## LD 536 An Act To Amend the Maine Criminal Code

### ENACTED LAW SUMMARY

Public Law 2021, chapter 299 amends the Maine Criminal Code. The law was proposed as by the Criminal Law Advisory Commission pursuant to the Maine Revised Statutes, Title 17-A, section 1354, subsection 2. The law does the following.

1. The law amends Title 17-A, section 2016 to make it consistent with existing law in Title 17-A, section 2009 with respect to disposition of funds by correctional facilities when they hold funds for the purposes of restitution and the victim cannot be located. Current Title 17-A, section 2016 requires the facility to notify the court and the court to determine distribution of the funds. The law requires the facility to forward the funds to the Treasurer of State to be handled as unclaimed property, consistent with current Title 17-A, section 2009.
2. The law separates two variants of kidnapping which are included in the same subparagraph in Title 17-A, section 301, subsection 1, paragraph A, subparagraph (3) into separate subparagraphs for:
  - A. Restraining a person with intent to commit bodily injury; and
  - B. Restraining a person with intent to commit a sexual assault.

The law amends the Sex Offender Registration and Notification Act of 2013 to clarify that, beginning January 1, 2022, kidnapping with intent to commit sexual assault, and not kidnapping with intent to commit bodily injury, qualifies as a Tier III offense under that Act.

The law also clarifies that, beginning January 1, 2022, kidnapping with intent to commit sexual assault, and not kidnapping with intent to commit bodily injury, renders a person ineligible for interment in the Maine Veterans' Memorial Cemetery System.

3. The law amends Title 17-A, section 1111-B, which provides an exemption from criminal liability for reporting a drug-related medical emergency or administering naloxone hydrochloride. The law clarifies that immunity from revocation of probation is limited to the same conduct for which there is immunity from prosecution under the law protecting persons seeking medical assistance or administering naloxone hydrochloride or experiencing a drug-related overdose.
4. The law repeals a section of law in Title 17-A, chapter 11 on factors aiding in predicting high-risk sex offenders for sentencing purposes, leaving individual risk assessment at sentencing to the judgment of the court.

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**LD 573 An Act Concerning Records of the Employment of Law Enforcement Officers and Corrections Officers**

**ENACTED LAW SUMMARY**

Public Law 2021, chapter 256 requires a law enforcement officer or corrections officer who applies for employment with a law enforcement agency, correctional facility or county or regional jail, when the applicant is employed by or within 90 days prior to the application employed by another law enforcement agency, correctional facility or county or regional jail, to request that the officer's personnel records, employment records and records of the job performance be released to the other agency, facility or jail. The law does not cover internal investigation records. The request form, which must be signed and witnessed, must include a waiver of any rights that the applicant has to the privacy of the personnel and employment records and records of performance. The law directs the board of trustees of the Maine Criminal Justice Academy to adopt routine technical rules to establish the request and waiver form. The law requires the agency, facility or jail to which the request was made to promptly release the requested information. The law provides civil and criminal immunity to both the sending and the receiving agency, facility or jail.

The law also requires an agency, facility or jail that performs a polygraph examination on a law enforcement officer or corrections officer to notify the head of the agency, facility or jail that employs the officer if the results indicate probable cause to believe that the officer is or has been involved in criminal activity.

**LD 661 An Act To Ensure Equity in Petitions for Rulemaking under the Maine Administrative Procedure Act**

**ENACTED LAW SUMMARY**

Public Law 2021, chapter 257 provides a mechanism for petitions for rulemaking submitted by persons incarcerated in a Department of Corrections facility and persons incarcerated in a county or municipal detention facility. The law sets the number of signatures at 150 or 25% or more of the total number of males or females incarcerated in a correctional facility, whichever is fewer. The law provides that the department is not required to initiate rulemaking if an earlier petition to adopt or modify the same rule was received within the previous 12 months. The law authorizes the department to take reasonable steps to ensure the validity of each signature on the petition.

**LD 663 Resolve, Establishing a Comprehensive Substance Use Disorder Treatment Pilot Program for Maine's Incarcerated Population**

**ENACTED LAW SUMMARY**

Resolve 2021, chapter 113 requires the Commissioner of Corrections to establish and maintain a comprehensive substance use disorder treatment program in all state correctional facilities that will provide screening, assessment and treatment for substance use disorder, including alcohol use

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

disorder, using medications approved or authorized by the United States Food and Drug Administration for treatment of substance use disorder. The program must provide at least one of each formulation of all United States Food and Drug Administration-approved medication-assisted treatments for substance use disorder including alcohol use disorder and opioid use disorder. The program must also provide initial and ongoing training and technical assistance and coordination with community-based treatment and recovery organizations. The law appropriates \$460,800 in fiscal year 2021-22 and \$460,800 in fiscal year 2022-23 for the pilot program.

### **LD 759 An Act To Amend the Child Endangerment Laws To Include Certain Unauthorized Access to a Loaded Firearm**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 388 amends the Maine Criminal Code to newly specify that storing or leaving a loaded firearm on premises under a person's control with criminal negligence in a manner that allows a child under 16 years of age to gain access to that firearm, and the child in fact gains access to the loaded firearm and uses it, is considered endangering the welfare of a child and is a Class D crime. The law provides several affirmative defenses to the new crime, including that the firearm is stored in a locked box or locked gun safe, the child uses the firearm in self-defense or defense of others, the person has no reasonable expectation that a child will be on the premises or the firearm is obtained by the child as a result of certain specified crimes.

### **LD 763 An Act To Allow State Vehicles Assigned to Certain Maine Emergency Management Agency Employees To Be Used for Commuting**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 258 allows certain employees of the Department of Defense, Veterans and Emergency Management, Maine Emergency Management Agency, specifically the director and deputy director and duty officer, to use a state-owned or state-leased vehicle to commute between home and work if so designated by the Commissioner of Defense, Veterans and Emergency Management.

### **LD 764 An Act To Authorize the Maine Emergency Management Agency To Requisition Food Supplies for Emergency Use or Special Duty Assignments**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 431 authorizes the Department of Defense, Veterans and Emergency Management, Maine Emergency Management Agency to requisition food supplies for emergency use or special duty assignments and corrects a reference to the Department of Agriculture, Conservation and Forestry, Bureau of Forestry.

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### **LD 769 An Act To Increase the Availability of Mental Health Services for a Defendant Who Has Been Found Incompetent To Stand Trial**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 259 provides authority to the Commissioner of Corrections to accept for placement in a mental health unit of a correctional facility a person found incompetent to stand trial if, following a court hearing, the person is found by clear and convincing evidence to be at risk of engaging in interpersonal violence that is not primarily driven by symptoms of a major mental illness or other disability. The law provides a procedure for a person to petition the court if the criteria for placement under the Maine Revised Statutes, Title 34-A, section 3069-C, subsection 1 no longer exist.

Public Law, chapter 259 includes a sunset provision of July 1, 2024 and a process for review by the Department of Health and Human Services and the Department of Corrections.

Public Law 2021, chapter 259 also requires a report to be submitted to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters prior to the sunset date.

### **LD 782 An Act To Implement the Recommendations of the Department of Corrections for Certified Batterer Intervention Programming**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 174 changes the name of batterers' intervention programs in the Maine Revised Statutes to domestic violence intervention programs. The law requires the attorney for the State in cases involving domestic violence to notify the domestic violence intervention program of the last known contact information for the victim and to provide to the program the incident report from the most relevant criminal proceeding. The law authorizes the disclosure of records to the domestic violence intervention program. The law requires the attorney for the State to make a good faith effort to inform the victim when the defendant completes the domestic violence intervention program. The law requires a domestic violence intervention program to be certified in order for the court to order a person to participate in a program and for the State to pay for a person's participation.

### **LD 797 An Act To Create a Registry to Improve Access to Automated External Defibrillators**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 82 requires the Director of Maine Emergency Medical Services within the Department of Public Safety to establish a registry of publicly accessible automated external

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

defibrillators located within the State for the purpose of assisting a person or a law enforcement officer, firefighter or emergency medical services person who calls for assistance in an emergency situation. The law authorizes the director to accept grants, funds, equipment and services to establish, operate and maintain the registry of publicly accessible automated external defibrillators and requires the Department of Public Safety to adopt routine technical rules regarding the registry.

### **LD 801 An Act Regarding Sentencing Options for a Person Convicted of a Crime Committed While Serving a Term of Imprisonment**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 260 repeals the provision of law that provides that when an individual subject to an undischarged term of imprisonment is convicted of a crime committed while in execution of any term of imprisonment or of an attempt to commit a crime while in execution of any term of imprisonment, the sentence is not concurrent with any undischarged term of imprisonment and no portion of the nonconcurrent sentence may be suspended.

Public Law 2021, chapter 260 provides that when an individual subject to an undischarged term of imprisonment is convicted of a crime committed while in execution of any term of imprisonment, is convicted of a crime committed during a stay of execution of any term of imprisonment, is convicted of a crime committed after failure to report after a stay of execution of any term of imprisonment or is convicted of failure to report as ordered after a stay of execution of any term of imprisonment, the court may order that the sentence is not concurrent with any undischarged term of imprisonment. If the court orders that the sentence is not concurrent, the court may order that any undischarged term of imprisonment be tolled and service of the nonconcurrent sentence commence immediately, and the amendment requires the court to so order if any undischarged term of imprisonment is a split sentence. No portion of the nonconcurrent sentence may be suspended. Any nonconcurrent sentence that the convicted individual receives as a result of an order entered pursuant to this law must be nonconcurrent with all other sentences.

### **LD 884 An Act to Restrict the Collection of Surveillance Video, Information and Data Regarding Lawful Firearm Purchases**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 384 prohibits the State Police from collecting in its records any surveillance video, information or data concerning lawful firearm purchases obtained by the Maine Information and Analysis Center except as needed for purposes of investigating suspected criminal activity or terrorism, administering civil, criminal or juvenile justice or protecting a person's health and welfare pursuant to the laws governing involuntary hospitalization.

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### **LD 894 An Act To Increase Government Accountability by Removing the Restriction on the Dissemination of Information Regarding Investigations**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 153 repeals the law prohibiting a Maine criminal justice agency from confirming the existence or nonexistence of confidential intelligence and investigative record information to any person or public or private entity that is not eligible to receive that information.

### **LD 963 An Act To Ensure Culturally Informed Programs and Services for Adjudicated Juveniles in the Custody of the Department of Corrections**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 339 specifies that any programs established by the Commissioner of Corrections for a juvenile who has been adjudicated of a juvenile crime and who is under age 21 must provide for the juvenile culturally informed treatment plans and modalities and culturally informed community reintegration services and must provide language services for the juvenile and the juvenile's family and support system. The law requires the Commissioner of Corrections to ensure that any prevention, diversion or restorative justice programs established by the commissioner and serving an adjudicated juvenile under age 21 provide for that juvenile culturally informed services, including, but not limited to, referrals to community based services and supports, housing, case management, education and employment resources and provide language services for the juvenile and the juvenile's family and support system, as necessary.

### **LD 994 An Act To Promote Public Health by Eliminating Criminal Penalties for Possession of Hypodermic Apparatuses**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 434 amends the provisions regarding hypodermic apparatuses in the following ways.

1. It allows a person to possess a residual amount of a scheduled drug that is contained in one or more hypodermic apparatuses without committing the crime of unlawful possession of a scheduled drug.
2. It repeals the law governing the crimes of trafficking in or furnishing hypodermic apparatuses.
3. It repeals the law governing the crime of illegal possession of hypodermic apparatuses.
4. It removes from the definition of drug paraphernalia under the Maine Revised Statutes, Title 17-A, section 1111-A items used for testing, analyzing, injecting, ingesting, inhaling or otherwise introducing into the human body scheduled drugs.

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5. It removes similar provisions in the food and drug safety provisions of the Maine Revised Statutes and in the Maine Pharmacy Act.

### **LD 1021 An Act To Expand the Crime of Violation of Privacy To Include Observing or Photographing Images Inside a Private Place That Would Not Ordinarily Be Visible Outside That Place**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 373 adds to the crime of violation of privacy installing or using outside a private place without the consent of the person or persons entitled to privacy therein any device for observing or photographing images originating in that place that would not ordinarily be visible outside that place.

### **LD 1040 An Act To Require Diversity, Equity and Inclusion Training or Implicit Bias Training for School Resource Officers**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 156 requires a school resource officer to complete diversity, equity and inclusion training or implicit bias training at least once during that officer's first year of employment as a school resource officer.

### **LD 1043 An Act Concerning the Unannounced Execution of Search Warrants**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 342 requires law enforcement agencies to adopt written policies regarding the unannounced execution of search warrants. Such policies must meet the minimum standards adopted by the Board of Trustees of the Maine Criminal Justice Academy.

### **LD 1044 An Act To Protect the Rights of Certain Incarcerated Individuals**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 263 requires county and regional jails and correctional facilities and detention facilities to respect and acknowledge a person's consistently held gender identity subject to exceptions for significant management or security problems or threats to the person's health or safety.

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### **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

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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.

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### **LD 1364 Resolve, To Study Incentives for Residential Fire Sprinkler Systems**

#### **ENACTED LAW SUMMARY**

Resolve 2021, chapter 97 directs the State Fire Marshal to convene a task force to study incentives for developers, builders and home buyers to install residential sprinklers. The resolve directs the State Fire Marshal to report to the Joint Standing Committee on Criminal Justice and Public Safety by December 1, 2021, and authorizes the committee to report out legislation based on the study. The resolve specifies that costs to the Department of Public Safety, Office of the State Fire Marshal to convene and staff the task force and to report to the Legislature must be absorbed within existing budgeted resources.

### **LD 1408 An Act To Increase the Protection of Children from Domestic Abuse and Violence**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 351 requires that the core training provided to guardians ad litem must include no less than six hours on domestic abuse and violence. The law requires that continuing education for guardians ad litem must include at least two hours of training annually on the impact of domestic abuse and violence on children, the services available in Maine for victims of domestic abuse and violence and their children and interventions for those who commit domestic abuse and violence.

Public Law 2021, chapter 351 takes effect January 1, 2022.

### **LD 1478 An Act To Require the Use of Homelessness Crisis Protocols by Law Enforcement Agencies**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 393 directs the Attorney General to adopt a model homelessness crisis protocol and directs law enforcement agencies to adopt protocols, which may, but are not required to, conform to the model protocol adopted by the Attorney General. The law requires a homelessness crisis protocol to include access and referral to crisis services, mental health and substance use disorder professionals, emergency and transitional housing and case management services. The law defines certain violations of the Maine Criminal Code as "listed offenses." The law requires a law enforcement officer who responds to a listed offense to inquire whether the person committing the offense lacks a home. If the person lacks a home, the law enforcement officer is required to respond in accordance with the homelessness crisis protocol.

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### **LD 1486 An Act To Improve Investigations of Child Sexual Abuse**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 447 amends the Maine Criminal Code by providing that a person who poses as a minor is deemed a minor for the purposes of a sex crime that has as an element or aggravating factor of the crime that the victim or person other than the actor is a minor. The law adds as conduct punishable under the crime of patronizing prostitution of a minor a new Class C crime when the person committing the crime believes that the person whose prostitution is sought is a minor. The law raises the class of the existing crime of patronizing prostitution of a person who has not in fact attained 18 years of age from a Class D crime to a Class C crime.

### **LD 1491 An Act To Ensure Access to and Availability of Violence Intervention Services To Reduce Domestic Violence in Maine**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 448 provides funding for the Department of Corrections, Office of Victim Services to fund partial reimbursement of certified batterers' intervention programs for indigent participant fees of \$200,000 for fiscal years 2021-22 and 2022-23, program expenses of \$62,500 for fiscal years 2021-22 and 2022-23 and training programs to sustain and expand the accessibility of certified batterers' intervention programs of \$25,000 for fiscal years 2021-22 and 2022-23.

### **LD 1585 An Act To Increase Privacy and Security by Regulating the Use of Facial Surveillance Systems by Departments, Public Employees and Public Officials**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 394 provides a structure for requests from state, county and municipal government agencies, public employees and public officials for facial surveillance searches and allowed uses of the results of facial surveillance searches. The law specifies the manner in which requests for searches must be made to the Department of the Secretary of State, Bureau of Motor Vehicles and the Department of Public Safety, Bureau of State Police. The law continues current authority in the Bureau of Motor Vehicles to perform facial surveillance searches and to receive requests for searches. The law requires the Bureau of State Police and the Bureau of Motor Vehicles to maintain de-identified records of searches requested and performed and designates those records as public records. The law states that facial surveillance data does not, without other evidence, establish probable cause justifying arrest, search or seizure. The law includes enforcement provisions in case of a violation.

Although Public Law 2021, chapter 394 contains an effective date of October 1, 2021, it was not enacted as an emergency and takes effect on the general effective date of October 18, 2021.

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### **LD 1588 Resolve, To Replace Certain Stigmatizing Language in the Maine Revised Statutes with Respectful Language**

#### **ENACTED LAW SUMMARY**

Resolve 2021, chapter 120 directs the Revisor of Statutes to review the Maine Revised Statutes, Titles 22, 22-A, 25 and 34-A for stigmatizing language in the laws governing the Department of Health and Human Services, the Department of Public Safety and the Department of Corrections and to report to the Joint Standing Committee on Criminal Justice and Public Safety by January 15, 2022 with draft legislation to amend the laws of the three departments to change stigmatizing language as specified to respectful language. The resolve authorizes the Joint Standing Committee on Criminal Justice and Public Safety to report out legislation to change stigmatizing language in Titles 22, 22-A, 25 and 34-A to respectful language and legislation to direct the Department of Health and Human Services, Department of Public Safety and Department of Corrections to amend their rules, policies, procedures, forms and publications to conform to the respectful language that is adopted by the Legislature. The law provides funding to the Revisor of Statutes of \$11,400 for fiscal year 2021-2022.

### **LD 1593 An Act To Provide Pathways to Rehabilitation, Reentry and Reintegration**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 376 amends the supervised community confinement program. The law requires the Commissioner of Corrections to adopt rules for the program and to establish criteria and a process for determining eligibility for the program. The law provides streamlined eligibility for a prisoner who has a terminal or severely incapacitating medical condition if care outside a correctional facility is medically appropriate. The law adds to the supervised community confinement program requirements for providing program information to prisoners. The law requires the Department of Corrections to track data for all prisoners who apply for the program.

### **LD 1605 An Act To License Ambulance Drivers Who Are Not Licensed To Provide Emergency Medical Services**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 220 establishes licensing procedures for a person associated with a ground ambulance service who is not a licensed emergency medical services person and who operates an ambulance in emergency mode or transports patients.

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### **LD 1674 An Act To Improve Access to Medical Care for and Expand the Rights of Adult Clients of State Correctional Facilities**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 359 provides a mechanism for adult clients housed in correctional facilities to provide input to the chief administrative officers of the facilities regarding health care and mental health services. The law exempts clients who are indigent from fees charged for health care, dental and mental health records. The law requires the Commissioner of Corrections to adopt policies regarding property searches, strip searches and body cavity searches.

### **LD 1675 An Act To Amend Certain Provisions of Maine's Drug Laws**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 396 amends the laws on illegal drugs and removes from the definitions of "traffick" and "furnish" the specific weights and amounts of certain drugs that a person possesses. The law creates a permissible inference of trafficking in drugs when a person possesses four grams or more of heroin or fentanyl powder. The law creates permissible inferences of furnishing drugs when a person possesses two grams or more of heroin or fentanyl powder. The law repeals references to cocaine base in the laws governing permissible inferences of drug trafficking and drug furnishing.

### **LD 1699 An Act To Establish the Southern Aroostook County Emergency Medical Services Authority**

#### **ENACTED LAW SUMMARY**

Private and Special Law 2021, chapter 12 establishes the Southern Aroostook County Emergency Medical Services Authority to facilitate the provision of emergency medical services to residents of southern Aroostook County. The authority is required to prepare an annual budget and have performed an annual audit, to follow uniform standards, to make provisions for member towns and towns that may contract for services with the authority and to set a fee schedule. The law permits the towns in southern Aroostook County to become member towns of the Southern Aroostook County Emergency Medical Services Authority. The law establishes a board of directors of one member from each member town and requires the appointment of an alternate for each town. The law sets the directors' terms at three years but, in order to stagger terms, sets initial terms of two years for representatives of Amity, Hodgdon, Littleton, Merrill and Smyrna.

Private and Special Law 2021, chapter 12 was enacted as an emergency measure effective June 30, 2021.

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**LD 1715 An Act To Amend the Laws Prohibiting Teachers, Employees and Other Officials from Engaging in Sexual Activity with Students**

**ENACTED LAW SUMMARY**

Public Law 2021, chapter 360 prohibits sexual acts, sexual contact and sexual touching between a student and a substitute teacher who had instructional, supervisory or disciplinary authority over the student at any time during the 12 months prior to the sexual act, sexual contact or sexual touching. The law amends the statute on parental rights and responsibilities to require the court to consider, in establishing the conditions of awards of parent-child contact and residence, a sexual offense by a substitute teacher.