

STATE OF MAINE  
131<sup>ST</sup> LEGISLATURE  
SECOND REGULAR SESSION



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

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

June 2024

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# *Joint Standing Committee on Criminal Justice and Public Safety*

## **SUBJECT INDEX**

### **Asset Forfeiture**

<b>Not Enacted</b>	LD 2204	An Act to Combat Racketeering in Scheduled Drugs by Certain Organizations	Minority (ONTP) Report
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### **Building Code**

<b>Enacted</b>	LD 2053	An Act to Exempt Buildings Used to Cultivate Crops from the Maine Uniform Building and Energy Code	PUBLIC 527
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<b>Not Enacted</b>	LD 2204	An Act to Combat Racketeering in Scheduled Drugs by Certain Organizations	Minority (ONTP) Report
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### **Competency to Stand Trial/Mental Health**

<b>Not Enacted</b>	LD 179	An Act to Provide Support for Restorative Justice Practices in Maine	ONTP
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### **County Jails/Sheriffs' Offices**

<b>Enacted</b>	LD 2051	An Act Regarding the Duties of Bail Commissioners	PUBLIC 508
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<b>Not Enacted</b>	LD 630	An Act to Ensure Rural Law Enforcement Services in Maine	Majority (ONTP) Report
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	LD 1301	An Act to Examine the Need for Intensive Case Managers and Improve Consistency Among County Jails Regarding Prisoner Attendance at Funerals, Furloughs, Visitation, Education and Discretionary Accounts	CARRIED OVER
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### **Criminal History Record Information/DNA/Forensics**

<b>Enacted</b>	LD 2161	An Act to Make Technical Corrections to the Maine Juvenile Code, the Maine Criminal Code and the Intelligence and Investigative Record Information Act	PUBLIC 557
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### **Criminal Law**

<b>Enacted</b>	LD 582	An Act to Enhance Certain Penalties for Possession of Firearms by Prohibited Persons	PUBLIC 491
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	LD 2054	An Act to Exclude Certain Operating Under the Influence Crimes from the Immunity Provisions That Are Triggered When Law Enforcement Is Called for a Suspected Overdose	PUBLIC 507
	LD 2130	An Act to Prohibit Unauthorized Paramilitary Training	PUBLIC 621
	LD 2161	An Act to Make Technical Corrections to the Maine Juvenile Code, the Maine Criminal Code and the Intelligence and Investigative Record Information Act	PUBLIC 557
<b>Not Enacted</b>	LD 911	An Act to Amend the Laws Regarding Certain Law Enforcement Interactions and Tools for Determining Residency During Conflict Resolution	Majority (ONTP) Report
	LD 1789	An Act to Remove All Marijuana-related Provisions from the Maine Criminal Code and Expunge All Convictions Involving Marijuana	Majority (ONTP) Report
	LD 1903	Resolve, to Create an Advisory Council to Oversee the Review and Technical Revision of the Maine Criminal Code and Other Statutes Establishing Criminal Offenses	CARRIED OVER
	LD 2204	An Act to Combat Racketeering in Scheduled Drugs by Certain Organizations	Minority (ONTP) Report
	LD 2246	An Act to Establish a Minimum Value Threshold for the Class C Crime of Theft by a Repeat Offender	Veto Sustained
	LD 2247	An Act to Clarify the Minimum Sentencing Standards for a Violation of Operating Under the Influence	Majority (ONTP) Report

### **Criminal Procedure/Bail/Sentencing**

<b>Not Enacted</b>	LD 288	An Act Concerning Housing and Support Services for At-risk Youth and Youth Involved in the Juvenile Justice System	CARRIED OVER
	LD 1359	An Act to Provide an Opportunity for Resentencing for Individuals Who Were Sentenced for Crimes Committed as Juveniles	Majority (ONTP) Report

### **Department of Corrections**

<b>Enacted</b>	LD 1863	An Act to Facilitate the Provision of Medically Appropriate Levels of Care for Clients of Correctional Facilities	PUBLIC 659
	LD 2045	An Act to Establish Training and Certification Standards for Probation and Parole Officers	PUBLIC 525
	LD 2046	An Act Regarding the Placement of Certain Defendants Found Incompetent to Stand Trial	PUBLIC 600
<b>Not Enacted</b>	LD 1086	An Act to Define the Term "Solitary Confinement" for the Laws Governing a Jail or Correctional Facility	CARRIED OVER

LD 1514	An Act to Establish a Pilot Program at a Community-based Organization to Provide a Transitional Living Program for Individuals Recently Released from Correctional Facilities	HELD BY GOVERNOR
LD 1633	An Act to Establish a Community-based Reentry Program in All Department of Corrections Facilities	Majority (ONTP) Report
LD 1978	Resolve, to Evaluate the Effectiveness of Programs Within the Department of Corrections That Prepare Correctional Facility Residents for Employment and Self-sufficiency Upon Release from Incarceration	CARRIED OVER

### *Department of Public Safety*

<b>Enacted</b>	LD 2071	Resolve, to Fill All Vacant and Expired Seats on the Emergency Medical Services' Board	RESOLVE 154
<b>Not Enacted</b>	LD 1492	An Act to Increase the Transparency and Accountability of the Maine Information and Analysis Center	CARRIED OVER
	LD 2109	An Act to Fund Rural Patrol Services in Androscoggin County	CARRIED OVER
	LD 2129	An Act to Establish a Statewide Sexual Assault Forensic Examination Kit Tracking System and Conduct an Inventory of Existing Forensic Examination Kits in the Possession of Law Enforcement	HELD BY GOVERNOR

### *Drug Crimes*

<b>Not Enacted</b>	LD 2204	An Act to Combat Racketeering in Scheduled Drugs by Certain Organizations	Minority (ONTP) Report
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### *Emergency Medical Services*

<b>Enacted</b>	LD 2071	Resolve, to Fill All Vacant and Expired Seats on the Emergency Medical Services' Board	RESOLVE 154
<b>Not Enacted</b>	LD 913	An Act to Support First Responders	ONTP
	LD 1515	An Act to Implement the Recommendations of the Blue Ribbon Commission to Study Emergency Medical Services in the State	CARRIED OVER

### *Firearms/Concealed Firearms*

<b>Enacted</b>	LD 582	An Act to Enhance Certain Penalties for Possession of Firearms by Prohibited Persons	PUBLIC 491
<b>Not Enacted</b>	LD 1561	An Act to Restore Firearm Rights and Hunting Privileges to Persons Previously Convicted of Certain Nonviolent Felony Crimes	CARRIED OVER

## *Firefighters*

<b>Not Enacted</b>	LD 913	An Act to Support First Responders	ONTP
	LD 1742	An Act to Enhance the Use of Critical Incident Stress Management Teams and to Require Peer Team Support	CARRIED OVER

## *Human Trafficking*

<b>Not Enacted</b>	LD 2204	An Act to Combat Racketeering in Scheduled Drugs by Certain Organizations	Minority (ONTP) Report
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## *Juveniles*

<b>Enacted</b>	LD 2161	An Act to Make Technical Corrections to the Maine Juvenile Code, the Maine Criminal Code and the Intelligence and Investigative Record Information Act	PUBLIC 557
<b>Not Enacted</b>	LD 179	An Act to Provide Support for Restorative Justice Practices in Maine	ONTP
	LD 288	An Act Concerning Housing and Support Services for At-risk Youth and Youth Involved in the Juvenile Justice System	CARRIED OVER
	LD 1359	An Act to Provide an Opportunity for Resentencing for Individuals Who Were Sentenced for Crimes Committed as Juveniles	Majority (ONTP) Report
	LD 1779	An Act to Prevent Youth Involvement in the Juvenile Justice System by Establishing a Strength-based, Discretionary Juvenile Needs Assessment Program	CARRIED OVER

## *Law Enforcement*

<b>Enacted</b>	LD 2094	Resolve, to Require the Establishment of a Stakeholder Group to Examine and Improve the Recruitment, Retention and Wellness of Law Enforcement Officers	RESOLVE 165
<b>Not Enacted</b>	LD 630	An Act to Ensure Rural Law Enforcement Services in Maine	Majority (ONTP) Report
	LD 1234	An Act to Provide Reimbursement for the Health Care Expenses of All Retired Law Enforcement, Corrections and Search and Rescue Dogs	CARRIED OVER
	LD 2041	Resolve, to Review Traffic Fatalities Occurring While an Operator Was Under the Influence and Subsequent Prosecution with Respect to Those Occurrences	ONTP
	LD 2109	An Act to Fund Rural Patrol Services in Androscoggin County	CARRIED OVER

### *Maine Criminal Justice Academy*

<b>Enacted</b>	LD 2045	An Act to Establish Training and Certification Standards for Probation and Parole Officers	PUBLIC 525
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### *Maine Emergency Management Agency*

<b>Not Enacted</b>	LD 1742	An Act to Enhance the Use of Critical Incident Stress Management Teams and to Require Peer Team Support	CARRIED OVER
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### *OUI/OAS/Other MV Violations*

<b>Not Enacted</b>	LD 2041	Resolve, to Review Traffic Fatalities Occurring While an Operator Was Under the Influence and Subsequent Prosecution with Respect to Those Occurrences	ONTP
	LD 2247	An Act to Clarify the Minimum Sentencing Standards for a Violation of Operating Under the Influence	Majority (ONTP) Report

### *Prison/Jail/Inmate*

<b>Enacted</b>	LD 1863	An Act to Facilitate the Provision of Medically Appropriate Levels of Care for Clients of Correctional Facilities	PUBLIC 659
	LD 2046	An Act Regarding the Placement of Certain Defendants Found Incompetent to Stand Trial	PUBLIC 600
	LD 2051	An Act Regarding the Duties of Bail Commissioners	PUBLIC 508
<b>Not Enacted</b>	LD 931	An Act to Expand the State's Workforce by Supporting the Transition from Incarceration to Employment	CARRIED OVER
	LD 1086	An Act to Define the Term "Solitary Confinement" for the Laws Governing a Jail or Correctional Facility	CARRIED OVER
	LD 1514	An Act to Establish a Pilot Program at a Community-based Organization to Provide a Transitional Living Program for Individuals Recently Released from Correctional Facilities	HELD BY GOVERNOR
	LD 1978	Resolve, to Evaluate the Effectiveness of Programs Within the Department of Corrections That Prepare Correctional Facility Residents for Employment and Self-sufficiency Upon Release from Incarceration	CARRIED OVER

### *Sex Offenses -- Criminal*

<b>Not Enacted</b>	LD 2129	An Act to Establish a Statewide Sexual Assault Forensic Examination Kit Tracking System and Conduct an Inventory of Existing Forensic Examination Kits in the Possession of Law Enforcement	HELD BY GOVERNOR
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### **Substance Use Disorder**

**Enacted** LD 2054 An Act to Exclude Certain Operating Under the Influence Crimes from the Immunity Provisions That Are Triggered When Law Enforcement Is Called for a Suspected Overdose PUBLIC 507

### **Theft/Bad Checks**

**Not Enacted** LD 2246 An Act to Establish a Minimum Value Threshold for the Class C Crime of Theft by a Repeat Offender Veto Sustained

### **Victim Rights**

**Not Enacted** LD 2129 An Act to Establish a Statewide Sexual Assault Forensic Examination Kit Tracking System and Conduct an Inventory of Existing Forensic Examination Kits in the Possession of Law Enforcement HELD BY GOVERNOR



DIGEST OF BILLS  
131ST LEGISLATURE SECOND REGULAR SESSION - 2024

**Joint Standing Committee on Criminal Justice and Public Safety**

Comm	LD	Title	Committee Action	Date of last Comm Action	Disposition upon R2 Adjournment	Law	Ch	Analyst Note?
CJPS	179	An Act to Provide Support for Restorative Justice Practices in Maine	ONTP	2/2/2024	Ought Not to Pass Pursuant to Joint Rule 310			
CJPS	288	An Act Concerning Housing and Support Services for At-risk Youth and Youth Involved in the Juvenile Justice System	OTP-AM/ONTP	3/5/2024				
CJPS	582	An Act to Enhance Certain Penalties for Possession of Firearms by Prohibited Persons	OTP-AM/OTP-AM	6/14/2023	Enacted	PL	491	
CJPS	630	An Act to Ensure Rural Law Enforcement Services in Maine	ONTP/REF TO TAX	2/1/2024	Accepted Majority (ONTP) Report			
CJPS	911	An Act to Amend the Laws Regarding Certain Law Enforcement Interactions and Tools for Determining Residency During Conflict Resolution	ONTP/OTP-AM	1/22/2024	Accepted Majority (ONTP) Report			
CJPS	913	An Act to Support First Responders	ONTP	2/2/2024	Ought Not to Pass Pursuant to Joint Rule 310			
CJPS	931	An Act to Expand the State's Workforce by Supporting the Transition from Incarceration to Employment	OTP-AM/ONTP/OTP-AM	2/20/2024				
CJPS	1086	An Act to Define the Term "Solitary Confinement" for the Laws Governing a Jail or Correctional Facility	OTP-AM/OTP/OTP-AM	6/13/2023				
CJPS	1234	An Act to Provide Reimbursement for the Health Care Expenses of All Retired Law Enforcement, Corrections and Search and Rescue Dogs	OTP-AM	6/12/2023				

DIGEST OF BILLS  
131ST LEGISLATURE SECOND REGULAR SESSION - 2024

Comm	LD	Title	Committee Action	Date of last Comm Action	Disposition upon R2 Adjournment	Law	Ch	Analyst Note?
CJPS	1301	An Act to Examine the Need for Intensive Case Managers and Improve Consistency Among County Jails Regarding Prisoner Attendance at Funerals, Furloughs, Visitation, Education and Discretionary Accounts	OTP-AM/OTP-AM/ONTP	6/15/2023				
CJPS	1359	An Act to Provide an Opportunity for Resentencing for Individuals Who Were Sentenced for Crimes Committed as Juveniles	ONTP/OTP-AM	1/25/2024	Accepted Majority (ONTP) Report			
CJPS	1492	An Act to Increase the Transparency and Accountability of the Maine Information and Analysis Center	OTP-AM/ONTP	6/16/2023				
CJPS	1514	An Act to Establish a Pilot Program at a Community-based Organization to Provide a Transitional Living Program for Individuals Recently Released from Correctional Facilities	OTP-AM/ONTP	3/14/2024	Held by Governor			
CJPS	1515	An Act to Implement the Recommendations of the Blue Ribbon Commission to Study Emergency Medical Services in the State	OTP-AM/ONTP	4/1/2024				
CJPS	1561	An Act to Restore Firearm Rights and Hunting Privileges to Persons Previously Convicted of Certain Nonviolent Felony Crimes	OTP-AM/ONTP	1/25/2024				
CJPS	1633	An Act to Establish a Community-based Reentry Program in All Department of Corrections Facilities	ONTP/OTP-AM	2/16/2024	Accepted Majority (ONTP) Report			
CJPS	1742	An Act to Enhance the Use of Critical Incident Stress Management Teams and to Require Peer Team Support	OTP-AM	4/1/2024				
CJPS	1779	An Act to Prevent Youth Involvement in the Juvenile Justice System by Establishing a Strength-based, Discretionary Juvenile Needs Assessment Program	ONTP/OTP-AM	3/26/2024				
CJPS	1789	An Act to Remove All Marijuana-related Provisions from the Maine Criminal Code and Expunge All Convictions Involving Marijuana	ONTP/OTP-AM	2/7/2024	Accepted Majority (ONTP) Report			
CJPS	1863	An Act to Facilitate the Provision of Medically Appropriate Levels of Care for Clients of Correctional Facilities	OTP-AM/ONTP	6/20/2023	Enacted	PL	659	

DIGEST OF BILLS  
131ST LEGISLATURE SECOND REGULAR SESSION - 2024

Comm	LD	Title	Committee Action	Date of last Comm Action	Disposition upon R2 Adjournment	Law	Ch	Analyst Note?
CJPS	1903	Resolve, to Create an Advisory Council to Oversee the Review and Technical Revision of the Maine Criminal Code and Other Statutes Establishing Criminal Offenses	OTP-AM/ONTP	2/27/2024				
CJPS	1978	Resolve, to Evaluate the Effectiveness of Programs Within the Department of Corrections That Prepare Correctional Facility Residents for Employment and Self-sufficiency Upon Release from Incarceration	OTP-AM	2/27/2024				
CJPS	2041	Resolve, to Review Traffic Fatalities Occurring While an Operator Was Under the Influence and Subsequent Prosecution with Respect to Those Occurrences	ONTP	3/5/2024	Ought Not to Pass Pursuant to Joint Rule 310			
CJPS	2045	An Act to Establish Training and Certification Standards for Probation and Parole Officers	OTP-AM	2/16/2024	Enacted	PL	525	
CJPS	2046	An Act Regarding the Placement of Certain Defendants Found Incompetent to Stand Trial	OTP/OTP-AM	3/11/2024	Enacted	PL	600	
CJPS	2051	An Act Regarding the Duties of Bail Commissioners	OTP	2/5/2024	Enacted	PL	508	
CJPS	2053	An Act to Exempt Buildings Used to Cultivate Crops from the Maine Uniform Building and Energy Code	OTP	2/14/2024	Enacted	PL	527	
CJPS	2054	An Act to Exclude Certain Operating Under the Influence Crimes from the Immunity Provisions That Are Triggered When Law Enforcement Is Called for a Suspected Overdose	OTP	2/5/2024	Enacted	PL	507	
CJPS	2071	Resolve, to Fill All Vacant and Expired Seats on the Emergency Medical Services' Board	OTP	2/29/2024	Emergency Finally Passed	RESLV	154	
CJPS	2094	Resolve, to Require the Establishment of a Stakeholder Group to Examine and Improve the Recruitment, Retention and Wellness of Law Enforcement Officers	OTP-AM/OTP-AM	3/29/2024	Finally Passed	RESLV	165	
CJPS	2109	An Act to Fund Rural Patrol Services in Androscoggin County	OTP-AM/ONTP	3/7/2024				
CJPS	2129	An Act to Establish a Statewide Sexual Assault Forensic Examination Kit Tracking System and Conduct an Inventory of Existing Forensic Examination Kits in the Possession of Law Enforcement	OTP-AM/OTP-AM	4/1/2024	Held by Governor			

DIGEST OF BILLS  
131ST LEGISLATURE SECOND REGULAR SESSION - 2024

Comm	LD	Title	Committee Action	Date of last Comm Action	Disposition upon R2 Adjournment	Law	Ch	Analyst Note?
CJPS	2130	An Act to Prohibit Unauthorized Paramilitary Training	OTP-AM/ONTP	2/20/2024	Enacted	PL	621	
CJPS	2161	An Act to Make Technical Corrections to the Maine Juvenile Code, the Maine Criminal Code and the Intelligence and Investigative Record Information Act	OTP/ONTP	3/4/2024	Enacted	PL	557	
CJPS	2204	An Act to Combat Racketeering in Scheduled Drugs by Certain Organizations	OTP-AM/ONTP	4/3/2024	Accepted Minority (ONTP) Report			
CJPS	2246	An Act to Establish a Minimum Value Threshold for the Class C Crime of Theft by a Repeat Offender	OTP-AM/ONTP	3/20/2024	Veto Sustained			
CJPS	2247	An Act to Clarify the Minimum Sentencing Standards for a Violation of Operating Under the Influence	ONTP/OTP	3/20/2024	Accepted Majority (ONTP) Report			

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

### **LD 582 An Act to Enhance Certain Penalties for Possession of Firearms by Prohibited Persons**

Public Law 2023, chapter 491 increases the class of crime for the prohibited possession of a firearm by certain persons.

Public Law 2023, chapter 491 was finally enacted in both the House and the Senate prior to the adjournment sine die of the First Special Session in 2023 but was not signed by the Governor. Pursuant to the Constitution of Maine, Public Law 2023, chapter 491 became law without the Governor's signature on January 7, 2024.

### **LD 1863 An Act to Facilitate the Provision of Medically Appropriate Levels of Care for Clients of Correctional Facilities**

Public Law 2023, chapter 659 does the following.

1. It requires the Department of Corrections to track data for all grievances filed by prisoners about their medical or mental health treatment and to publish this data monthly on the department's publicly accessible website in a manner that does not violate confidentiality requirements.
2. It prohibits the Commissioner of Corrections from revoking a prisoner's transfer to supervised community confinement due to a terminal or severely incapacitating medical condition or a worsening prognosis that is likely to result in a terminal or severely incapacitating medical condition if the department's director of medical care determines that the prisoner has a worsening prognosis that is likely to result in a terminal or severely incapacitating medical condition.
3. It requires that the department include in written information made available to prisoners concerning the supervised community confinement program, and make available on the department's publicly accessible website, the determination and approval process for supervised community confinement for prisoners who have a terminal or severely incapacitating medical condition or have a worsening prognosis that is likely to result in a terminal or severely incapacitating medical condition and for whom care outside a correctional facility is medically appropriate.
4. It requires the department to add to its supervised community confinement data tracking requirements data for all prisoners who are transferred to supervised community confinement due to having a terminal or severely incapacitating medical condition or a worsening prognosis that is likely to result in a terminal or severely incapacitating medical condition.

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

### **LD 2045 An Act to Establish Training and Certification Standards for Probation and Parole Officers**

#### **ENACTED LAW SUMMARY**

Public Law 2023, chapter 525 requires the board of trustees of the Maine Criminal Justice Academy to establish training and certification standards, set requirements for board-approved courses, prescribe curricula and certify graduates of board-approved courses for probation and parole officers and requires those officers to meet the training and certification standards established by the board. The board must establish training and certification standards by July 1, 2025 and new probation and parole officers must comply with the new standards by that date. Provisional certifications for current probation and parole officers lapse October 1, 2025, at which point those officers must comply with the new standards.

### **LD 2046 An Act Regarding the Placement of Certain Defendants Found Incompetent to Stand Trial**

#### **ENACTED LAW SUMMARY**

Public Law 2023, chapter 600 repeals the provision of law that repeals, on July 1, 2024, the authorization for the Commissioner of Corrections to accept the placement of an adult defendant in a mental health unit of a correctional facility when the adult defendant has been found incompetent to stand trial and has been committed to the custody of the Commissioner of Health and Human Services.

### **LD 2051 An Act Regarding the Duties of Bail Commissioners**

#### **ENACTED LAW SUMMARY**

Public Law 2023, chapter 508 amends the Maine Bail Code to allow county jail employees to prepare and execute bail paperwork for defendants having bail set at personal recognizance or unsecured appearance bond by a bail commissioner.

### **LD 2053 An Act to Exempt Buildings Used to Cultivate Crops from the Maine Uniform Building and Energy Code**

#### **ENACTED LAW SUMMARY**

Public Law 2023, chapter 527 exempts buildings used to cultivate crops from the Maine Uniform Building and Energy Code, except for buildings used to cultivate cannabis.

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

### **LD 2054 An Act to Exclude Certain Operating Under the Influence Crimes from the Immunity Provisions That Are Triggered When Law Enforcement Is Called for a Suspected Overdose**

#### **ENACTED LAW SUMMARY**

Public Law 2023, chapter 507 adds operating under the influence and operating or attempting to operate a watercraft, snowmobile or all-terrain vehicle under the influence to the list of crimes that do not qualify for immunity from arrest, prosecution and certain revocation and termination proceedings when assistance has been requested for a suspected drug-related overdose.

### **LD 2071 Resolve, to Fill All Vacant and Expired Seats on the Emergency Medical Services' Board**

#### **ENACTED LAW SUMMARY**

Resolve 2023, chapter 154 requires the Governor, within 30 days of its effective date, to appoint members to the Emergency Medical Services' Board to fill all vacancies and replace those members whose terms have expired.

Resolve 2023, chapter 154 was finally passed as an emergency measure effective March 26, 2024.

### **LD 2094 Resolve, to Require the Establishment of a Stakeholder Group to Examine and Improve the Recruitment, Retention and Wellness of Law Enforcement Officers**

#### **ENACTED LAW SUMMARY**

Resolve 2023, chapter 165 requires the Department of Public Safety to convene a stakeholder group to examine and propose long-term solutions to incentivize and encourage the recruitment, retention and mental and physical wellness of law enforcement officers. The stakeholder group must consist of several members representing the department, active and retired law enforcement officers, State troopers, mental health providers, secondary and postsecondary educational institutions, police chiefs and county sheriffs. The stakeholder group must develop a report, including any suggested legislation, and the department must submit the report to the joint standing committee of the legislature having jurisdiction over criminal justice and public safety matters by January 2, 2025. The committee may report out a bill related to the report to the 132nd Legislature in 2025.

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

### **LD 2130 An Act to Prohibit Unauthorized Paramilitary Training**

#### **ENACTED LAW SUMMARY**

Public Law 2023, chapter 621 establishes the new crime of unauthorized paramilitary training. A person is guilty of unauthorized paramilitary training if that person intentionally or knowingly engages in the any of the following conduct.

1. The person teaches, trains or demonstrates the use, application or making of a firearm, explosive or incendiary device if the person knows or reasonably should know that the teaching, training or demonstrating is intended to be used in or in furtherance of civil disorder.
2. The person assembles with others for the purpose of practicing or being trained or instructed in the use, application or making of a firearm, explosive or incendiary device or in techniques capable of causing injury or death of another person, if the person intends or knows that the practicing, training or instruction is intended to be used in or in furtherance of a civil disorder.

The law defines the terms “civil disorder,” “explosive,” “firearm,” and “incendiary device” for the purpose of this crime. The law also exempts certain activities from being considered criminal under this new law. Unauthorized paramilitary training is a Class D crime.

The law also authorizes the Attorney General, in order to restrain or prevent a person from committing unauthorized paramilitary training, to bring a civil action for a temporary or permanent injunction against that person whom the Attorney General has reason to believe is committing the violation.

### **LD 2161 An Act to Make Technical Corrections to the Maine Juvenile Code, the Maine Criminal Code and the Intelligence and Investigative Record Information Act**

#### **ENACTED LAW SUMMARY**

Public Law 2023, chapter 557 makes technical corrections to the Maine Juvenile Code, the Maine Criminal Code and the Intelligence and Investigative Record Information Act in the following ways.

1. It clarifies provisions in the Maine Juvenile Code regarding the sealing of juvenile records by adding a cross-reference and correcting a reference to juvenile history record information.
2. It repeals a provision of law in the Intelligence and Investigative Record Information Act that contains incorrect terminology and an unnecessary requirement that a request for a copy of a complaint by a person who made the complaint be made pursuant to the Freedom of Access Act.
3. It corrects a reference to a repealed statute in a provision in the Maine Criminal Code regarding sentences of imprisonment by adding the term “former” to the statutory citation.