

LANGUAGE REVIEW #1
CRIMINAL JUSTICE AND PUBLIC SAFETY COMMITTEE
MARCH 16, 2022

LD 1154

An Act to Improve the Safety of Prisoners and Jail Staff by Limiting Work Hours of Jail Employees (Sponsor Rep Collings)

Vote was OTPA (7) /ONTP (6)

Majority amendment:

- Replaces the bill.
- Limits jail employee to 18 hours in a 24-hour period except in exceptional circumstances or during a state of emergency declared by the Governor.

Fiscal note = No fiscal impact.

LD 1479

An Act to Make Certain Traffic Infractions Secondary Offenses (Rep Morales)

Vote was ONTP (7)/OTPA(6)

Majority amendment:

- Replaces the bill.
- Designates certain traffic offenses as secondary, enforceable if there is a suspected violation of another law, subject to a fine only when operator is required to pay a fine for a primary violation.
- Violations include
 - OAS after suspension for nonpayment of fine.
 - *Registration expired more than 150 days – Drafting correction may be needed: should this be fewer than 150 days so that the more serious infraction is treated more seriously by the law?*
 - *Operating a defective vehicle (no clear visual imminent safety problem) with expired registration by more than 7 months – Drafting correction may be needed: should this be fewer than 7 months so that the more serious infraction is treated more seriously by the law?*
 - Obstructing driver's view by hanging an object from the mirror.
 - Obscuring the window by tinting glass.
 - Making excessive and unusual noise.
 - Improperly displaying registration plate, plate is visible.
 - Improperly displaying registration plate, visible plate is not legible due to mud, snow or inclement weather.
 - Failing to provide registration lamp.
 - Driving in left lane.

Fiscal note not completed yet.

LD 1504

An Act to Enhance Use of Critical Incident Stress Management Teams for Firefighters (Rep Gramlich)

Vote was OTPA (8)/ONTP (5)

Majority amendment:

- Expands critical incident stress management peer support to all fire departments and firefighters.
- Extends critical incident stress management services to fire departments, emergency care or and response organizations and public safety agencies.
- Provides access to trained critical incident stress management training and behavioral health care.
- Requires collaboration in implementation, with one full-time staff person in DPS and funds that position from General Fund \$85,861.

Fiscal note = \$85,861

LD 1797

An Act to Amend the Laws Governing the Maine Length of Service Award Program (Sponsor Rep Theriault)

Vote was OTPA (10) and 3 absent

Committee amendment:

- Replaces the bill.
- Defines “ambulance service,” “department,” “eligible volunteer,” “emergency medical services ambulance operator,” “Emergency Medical Services’ Board” and “nontransporting emergency medical service.”
- Expands the types fire departments for which an eligible volunteer firefighter may serve to be eligible for LSOAP.
- Expands Length of Service Award Program eligibility to emergency medical services ambulance operators.
- Expands the entities for which an eligible volunteer may serve to include ambulance services and nontransporting emergency medical services.
- Clarifies that the Emergency Medical Services’ Board nominates emergency medical services persons to the Governor for service on the LOSAP Board.

Fiscal note = Minor cost increase – General Fund.

LD 1859

An Act to Build More Sustainable Ambulance Services in Communities (Sponsor Sen Curry)

Vote was OTPA (11) and 2 absent.

Committee amendment:

- Replaces the bill and adds a new title to read “An Act to Establish the Maine Emergency Medical Services Community Grant Program.”
- Defines “community” as a municipality or group of municipalities and “program” as “the Maine Emergency Medical Services Community Grant Pilot Program.”
- States that the purpose of the pilot program is to provide grants with which communities may undertake an informed community self-determination process to consider a new financially stable structure for delivering high-quality emergency medical services effectively and efficiently.
- Emergency Medical Services Board administers the grant program and requires reports on expenditures and the results of the planning process.
- Grant funding is nonlapsing and unspent funds carry forward to future years.
- Funding of \$200,000 for fiscal year 2022-23.

Fiscal note = \$200,000 for fiscal year 2022-23.



130th MAINE LEGISLATURE

FIRST SPECIAL SESSION-2021

Legislative Document

No. 1479

H.P. 1094

House of Representatives, April 14, 2021

An Act To Make Certain Traffic Infractions Secondary Offenses

Received by the Clerk of the House on April 12, 2021. Referred to the Committee on Transportation pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative MORALES of South Portland.
Cosponsored by Representatives: RECKITT of South Portland, WARREN of Hallowell,
WARREN of Scarborough.

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1 **Be it enacted by the People of the State of Maine as follows:**

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CONCEPT DRAFT

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SUMMARY

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This bill is a concept draft pursuant to Joint Rule 208.

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This bill proposes to make certain traffic infractions secondary offenses, including littering from a vehicle, failing to register a vehicle or properly display a vehicle registration, failing to display a valid and current vehicle inspection sticker, failing to wear a seat belt, making unnecessary noise, operating of a defective vehicle, operating a motorcycle without a headlight, operating a vehicle with an obstructed view, operating a vehicle in a 2-way or left lane, or operating a vehicle with a suspended license as a result of failure to pay a fine, license reinstatement fee or a dishonored check, and certain equipment violations under the Maine Revised Statutes, Title 29-A, chapter 17, subchapter 1.

COMMITTEE VOTING TALLY SHEET

LD # or Confirmation: LD 1479

Committee: Criminal Justice and Public Safety

Date: 05/04/2021

Motion: Ought To Pass As Amended

Motion by: Rep. Pluecker

Seconded by: Rep. Reckitt

Those Voting in Favor of the Motion	Recommendation of those opposed to the Motion					Absent	Abstain
	ONTP						

Senators

Sen. Deschambault		X					
Sen. Cyrway		X					
Sen. Lawrence		X					

Representatives

Rep. C. Warren	X						
Rep. Costain		X					
Rep. Lookner	X						
Rep. Morales	X						
Rep. Newman		X					
Rep. Pickett		X					
Rep. Pluecker	X						
Rep. Reckitt	X						
Rep. Rudnicki		X					
Rep. Sharpe	X						

Sponsor: Morales

Drafter: JO

Date: March 14, 2022

File: G:\COMMITTEES\CJPS\AMENDMTS\130th 2nd\Drafting Correction For 1479 March 14.Docx

Drafting correction needed?

**LD 1479, An Act to Make Certain Traffic Infractions Secondary Offenses
Proposed by Rep Morales**

Amend the bill by striking everything after the enacting and clause and by inserting the following:

Sec. 1. 29-A MRSA §2081, sub-§7 is enacted to read:

7. Secondary offense. A violation of this section is a secondary offense and may be enforced only if a law enforcement officer has detained the operator of a motor vehicle for a suspected violation of another law. An operator is not subject to a penalty established in this section unless the operator is required to pay a fine for the primary violation.

Sec. 2. 29-A MRSA §2609 is enacted to read:

§2609. Secondary offense. Notwithstanding any provision of law to the contrary, a violation of any of the following provisions of law is a secondary offense and may be enforced only if a law enforcement officer has detained the operator of a motor vehicle for a suspected violation of another law, which is for the purposes of this section referred to as a primary violation. An operator is not subject to a penalty for a violation of the following provisions of law unless the operator is required to pay a fine for the primary violation. This section applies to any of the following violations:

A. Operating after suspension for nonpayment of a fine under section 2412-A, subsection 8;

B. Failing to register a vehicle if the vehicle was registered and the registration has been expired for *fewer than* 150 days ~~or more~~ under section 351, subsection 1, paragraph ~~B~~ A;

C. Operating a defective vehicle if the inspection certificate has expired *beyond fewer than* 7 months under section 1768, subsection 5, paragraph A, if there is no clear visual imminent safety problem;

D. Obstructing the view of the operator by hanging an object from the rearview mirror under section 2082, subsection 2;

E. Obscuring a window by tinting the glass under section 1916, subsection 1;

F. Making excessive or unusual noise under section 1912, subsection 1;

G. Improperly displaying a registration plate under section 452, if the registration plate is visible;

H. Improperly displaying a registration plate under section 452, subsection 4, if the registration plate is visible but not legible due to mud, snow or inclement weather;

I. Failing to provide a proper registration lamp under section 1909; and

J. Driving in the left lane under section 2051.

SUMMARY

This amendment replaces the bill, which was a concept draft. This amendment designates certain motor vehicle offenses as secondary offenses, stating that they may be enforced only if a law enforcement officer has detained the operator of a motor vehicle for a suspected violation of another law. An operator is not subject to a penalty unless the operator is required to pay a fine for the primary violation. The motor vehicle offenses to which the amendment applies are: violation of the safety seat belt and child restraint system law; operating after suspension for nonpayment of a fine; failing to register a vehicle if the vehicle was registered and the registration has been expired for fewer than 150 days ~~or more~~ under section 351, subsection 1, paragraph ~~B~~-A; operating a defective vehicle if the inspection certificate has expired ~~beyond~~ fewer than 7 months under section 1768, subsection 5, paragraph A, if there is no clear visual imminent safety problem; obstructing the view of the operator by hanging an object from the rearview mirror under section 2082, subsection 2; obscuring a window by tinting the glass under section 1916, subsection 1; making excessive or unusual noise under section 1912, subsection 1; improperly displaying registration plate under section 452, if the registration plate is visible; improperly displaying license plate under section 452, subsection 4, if the registration plate is visible but not legible due to mud, snow or inclement weather; failing to provide a proper registration lamp under section 1909; and driving in the left lane under section 2051.

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Title 29-A: MOTOR VEHICLES AND TRAFFIC
Chapter 5: VEHICLE REGISTRATION
 Subchapter 1: REGISTRATION
Article 1: GENERAL REGISTRATION REQUIREMENTS

§351. Registration required

(CONTAINS TEXT WITH VARYING EFFECTIVE DATES)

The owner of a vehicle that is operated or remains on a public way is responsible for registering the vehicle.

[PL 1999, c. 68, §1 (NEW).]

1 (TEXT EFFECTIVE UNTIL 7/01/22) Failure to register. A person who operates a vehicle that is not registered in accordance with this Title, fails to register a vehicle or permits a vehicle that is not registered to remain on a public way commits:

A. A traffic infraction for which a fine of not more than \$50 may be adjudged if the vehicle was registered and the registration has been expired for more than 30 days but less than 150 days; or [PL 2013, c. 112, §6 (AMD).]

B. A Class E crime if the vehicle was not registered or the registration has been expired for 150 days or more. [PL 2001, c. 671, §3 (AMD).]

[PL 2013, c. 112, §6 (AMD).]

1 (TEXT EFFECTIVE 7/01/22) Failure to register. A person who operates a vehicle that is not registered in accordance with this Title, fails to register a vehicle or permits a vehicle that is not registered to remain on a public way commits:

A. A traffic infraction for which a fine of not more than \$50 may be adjudged for a first offense if the vehicle was registered and the registration has been expired for more than 30 days but less than 150 days; [PL 2021, c. 427, §1 (AMD); PL 2021, c. 427, §4 (AFF).]

B. [PL 2021, c. 427, §1 (RP); PL 2021, c. 427, §4 (AFF).]

C. A traffic infraction for which a fine of not more than \$100 may be adjudged for a first offense if the vehicle was registered and the registration has been expired for 150 days or more; [PL 2021, c. 427, §1 (NEW); PL 2021, c. 427, §4 (AFF).]

D. A traffic infraction for which a fine of not more than \$500 may be adjudged for each subsequent offense; or [PL 2021, c. 427, §1 (NEW); PL 2021, c. 427, §4 (AFF).]

E. A Class E crime if the vehicle has never been registered by the current owner of the vehicle. [PL 2021, c. 427, §1 (NEW); PL 2021, c. 427, §4 (AFF).]

A person served with a Violation Summons and Complaint charging a violation of this subsection may have the complaint dismissed if that person shows satisfactory evidence of registration that was in effect at the time of the alleged violation or that the person subsequently registered the vehicle prior to the date required for filing an answer to the complaint. The clerk of the District Court Violations Bureau must dismiss the complaint if, prior to the date required for filing an answer to the complaint, the person charged files a copy of the Violation Summons and Complaint with the bureau, together with satisfactory evidence of registration. If a person files a timely answer to a Violation Summons and Complaint alleging a violation of this subsection and that person presents to the court at the time of trial satisfactory evidence of registration, the court must dismiss the complaint.

[PL 2021, c. 427, §1 (AMD); PL 2021, c. 427, §4 (AFF).]

1-A. (TEXT EFFECTIVE UNTIL 7/01/22) Residents required to register. An owner of a vehicle who becomes a resident of this State shall register that vehicle in this State 30 days of establishing residency. A person who operates or allows a vehicle that is not registered in accordance with this subsection to remain on a public way commits:

A. A traffic infraction for which a fine of not more than \$50 may be adjudged if more than 30 days but less than 150 days has elapsed since establishing residency; or [PL 2005, c. 433, §5 (NEW); PL 2005, c. 433, §28 (AFF).]

B. A Class E crime if more than 150 days have elapsed since establishing residency. [PL 2005, c. 433, §5 (NEW); PL 2005, c. 433, §28 (AFF).]

[PL 2005, c. 433, §5 (AMD); PL 2005, c. 433, §28 (AFF).]

1-A. (TEXT EFFECTIVE 7/01/22) Residents required to register. An owner of a vehicle who becomes a resident of this State shall register that vehicle in this State within 30 days of establishing residency. A person who operates or allows a vehicle that is not registered in accordance with this subsection to remain on a public way commits:

A. A traffic infraction for which a fine of not more than \$50 may be adjudged for a first offense if more than 30 days but less than 150 days has elapsed since establishing residency; [PL 2021, c. 427, §2 (AMD); PL 2021, c. 427, §4 (AFF).]

A-1. A traffic infraction for which a fine of not more than \$500 may be adjudged for a 2nd and each subsequent offense; or [PL 2021, c. 427, §2 (NEW); PL 2021, c. 427, §4 (AFF).]

B. A Class E crime if more than 150 days have elapsed since establishing residency. [PL 2005, c. 433, §5 (NEW); PL 2005, c. 433, §28 (AFF).]

[PL 2021, c. 427, §2 (AMD); PL 2021, c. 427, §4 (AFF).]

2. Operating a vehicle with an expired registration. The owner or operator of a vehicle stopped by a law enforcement officer and having a registration that has expired within the last 30 days must be issued a warning, rather than a summons, in a form designated by the Chief of the State Police. This warning must state that:

A. (TEXT EFFECTIVE UNTIL 7/01/22) Within 2 business days, the owner or operator must register the vehicle; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

A. (TEXT EFFECTIVE 7/01/22) Within 10 business days, the owner or operator must register the vehicle; [PL 2021, c. 427, §3 (AMD); PL 2021, c. 427, §4 (AFF).]

B. The renewed registration expires on the same month as the previous registration; and [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

C. The registration fee is the same as for a full year's registration. [PL 1999, c. 68, §1 (AMD).]

[PL 2021, c. 427, §3 (AMD); PL 2021, c. 427, §4 (AFF).]

3. Temporary permit to tow unregistered vehicle. A law enforcement officer, an employee of a municipal police department designated by the chief, an employee of the sheriff's department designated by the sheriff, an employee of the State Police designated by the Chief of the State Police or an employee of the bureau designated by the Secretary of State may issue a permit in writing to allow:

A. An unregistered motor vehicle to be towed either by a regular service wrecker or by the use of a towbar or tow dolly; or [PL 2001, c. 360, §3 (AMD).]

B. [PL 1995, c. 247, §1 (RP).]

C. An unregistered trailer or semitrailer with a gross weight of 3,000 pounds or less to be towed, for one trip only, between the points of origin and destination. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

A permit issued under this subsection is valid for no more than 3 days, including the date of issuance.

[PL 2001, c. 360, §3 (AMD).]

3-A. Permit to operate unregistered vehicle. Upon stopping a vehicle with a registration that has been expired for more than 30 days, a law enforcement officer may issue a permit to the owner or operator of the vehicle to operate the vehicle to the owner's residence or to an office of the bureau for the sole purpose of renewal of the registration by the owner.

[PL 1995, c. 247, §2 (NEW).]

4. Duplicate registration, notification of change in location or status. Duplicate registrations are provided in accordance with [section 1405 \(../29-A/title29-Asec1405.html\)](#). A person to whom a registration has been issued must notify the Secretary of State of a change in location or status in accordance with [section 1407 \(../29-A/title29-Asec1407.html\)](#).

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

5. Expiration of 14-day temporary registration plate. Notwithstanding the provisions of this section, a person who operates a vehicle with an expired temporary registration plate issued pursuant to section 462 commits:

A. A traffic infraction for which a forfeiture of not more than \$50 may be adjudged if the registration has been expired for less than 150 days; or [PL 2001, c. 671, §4 (NEW).]

B. A Class E crime if the registration has been expired for 150 days or more. [PL 2001, c. 671, §4 (NEW).]

[PL 2001, c. 671, §4 (AMD).]

6. Improper registration. A traffic infraction for which a fine of not less than \$200 nor more than \$1,000 may be adjudged if the vehicle is not properly registered. For purposes of this subsection, "not properly registered" means the vehicle is either registered in a manner that is not reflective of its current actual use or as a type of

vehicle that it is not as a matter of law, including, but not limited to, a motor vehicle registered as an antique auto when the vehicle is not an antique auto as defined in section 101, subsection 3.

[PL 2013, c. 112, §7 (NEW).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 247, §§1,2 (AMD). PL 1995, c. 454, §2 (AMD). PL 1995, c. 584, §B4 (AMD). PL 1999, c. 41, §1 (AMD). PL 1999, c. 68, §1 (AMD). PL 2001, c. 360, §3 (AMD). PL 2001, c. 361, §5 (AMD). PL 2001, c. 671, §§3,4 (AMD). PL 2005, c. 433, §5 (AMD). PL 2005, c. 433, §28 (AFF). PL 2013, c. 112, §§6, 7 (AMD). PL 2021, c. 427, §§1-3 (AMD). PL 2021, c. 427, §4 (AFF).

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If you need legal advice, please consult a qualified attorney.

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Title 29-A: MOTOR VEHICLES AND TRAFFIC
Chapter 15: INSPECTION AND REPAIR
Subchapter 1: INSPECTION

§1768. Unlawful acts

1. Display of fictitious certificate. A person commits a Class E crime if that person displays or permits to be displayed on a vehicle a certificate of inspection knowing the certificate to be fictitious or issued to another vehicle or issued without an inspection having been made.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

2. Use of counterfeit certificate of inspection. A person commits a Class E crime if the person makes, possesses, issues or knowingly uses an imitation or counterfeit of an official certificate of inspection or a certificate of inspection that was not issued by an official inspection station in accordance with law.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

3. Misrepresentation of vehicle inspection station. A person commits a Class E crime if that person represents a place as an official inspection station and the station is not operating under a valid license.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

4. Issuance of certificate for substandard vehicle. A person commits a Class E crime if that person knowingly causes an official inspection sticker to be attached to a vehicle that does not conform to the inspection standard.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

5. Operation of defective vehicle. A person may not operate a vehicle on a public way with equipment on the vehicle that does not conform to the standards set forth in rules adopted by the Chief of the State Police pursuant to section 1769 (./29-A/title29-Asec1769.html).

A. Except as provided in paragraphs B (./29-A/title29-Asec1768.html) and C, a person who violates this subsection commits a traffic infraction. [PL 2003, c. 688, Pt. C, §13 (NEW).]

B. A person who violates this subsection commits a Class E crime if the vehicle is unsafe for operation because it poses an immediate hazard to an occupant of the vehicle or the general public. [PL 2003, c. 688, Pt. C, §13 (NEW).]

C. A person who violates this subsection and is involved in a motor vehicle accident caused by nonconformance with the rules adopted by the Chief of the State Police pursuant to section 1769 (./29-A/title29-Asec1769.html) commits a Class E crime. [PL 2003, c. 688, Pt. C, §13 (NEW).]

[PL 2003, c. 688, Pt. C, §13 (RPR).]

6. Alteration after inspection. A person commits a Class E crime if that person alters equipment after inspection so that the equipment does not conform to the standards of this subchapter.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

7. Operation of vehicle without certificate of inspection. An owner or operator of a vehicle required to be inspected commits a traffic infraction if that person operates that vehicle or permits that vehicle to be operated without displaying a current and valid certificate of inspection or producing the certificate on demand of a police officer.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

8. Performance of inspections, issuance of inspection certificate by a person with a suspended or revoked inspection mechanic license. A person commits a Class E crime if, at a time when the person's inspection mechanic license is suspended or revoked pursuant to section 1763 (./29-A/title29-Asec1763.html), the person:

A. Performs a state motor vehicle inspection or federally approved motor vehicle inspection in order for a certificate of inspection or report to be issued by a 3rd party; or [PL 2011, c. 448, §1 (NEW); PL 2011, c. 448, §4 (AFF).]

B. Issues a state or federally approved certificate of inspection or report. [PL 2011, c. 448, §1 (NEW); PL 2011, c. 448, §4 (AFF).]

[PL 2011, c. 448, §1 (NEW); PL 2011, c. 448, §4 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 2003, c. 688, §C13 (AMD). PL 2011, c. 448, §1 (AMD). PL 2011, c. 448, §4 (AFF).

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 1154

H.P. 832

House of Representatives, March 22, 2021

**An Act To Improve the Safety of Prisoners and Jail Staff by
Limiting Work Hours of Jail Employees**

(EMERGENCY)

Received by the Clerk of the House on March 18, 2021. Referred to the Committee on Criminal Justice and Public Safety pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Robert B. Hunt

ROBERT B. HUNT
Clerk

Presented by Representative COLLINGS of Portland.

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Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the safety of county jails in the State is reliant on the health and alertness of their employees; and

Whereas, accidents, lapses in judgment and ineffective performance can result from jail employees being overworked or without proper rest, sleep and relaxation off duty; and

Whereas, currently jail employees may be asked to work beyond their physical capacity to perform their duties effectively, safely and with proper judgment, putting the health and safety of themselves, the prisoners and the facilities in general at risk; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 30-A MRSA §1511 is enacted to read:

§1511. Hours of employees

A jail employee must receive 8 hours off duty for every 16 hours the employee works on duty.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

SUMMARY

This bill requires county jail employees to receive 8 hours off duty for every 16 hours worked on duty.

COMMITTEE VOTING TALLY SHEET

LD # or Confirmation: LD 1154

Committee: Criminal Justice and Public Safety

Date: 02/07/2022

Motion: Ought Not To Pass

Motion by: Rep. Newman

Seconded by: Rep. Rudnicki

Those Voting in Favor of the Motion	Recommendation of those opposed to the Motion					Absent	Abstain
	OTP-AM Warren						

Senators

Sen. Deschambault	X						
Sen. Cyrway	X						
Sen. Lawrence		X					

Representatives

Rep. C. Warren		X					
Rep. Costain	X						
Rep. Lookner		X					
Rep. Morales		X					
Rep. Newman	X						
Rep. Pickett	X						
Rep. Pluecker		X					
Rep. Reckitt		X					
Rep. Rudnicki	X						
Rep. Sharpe		X					

ROFS 1

L.D. 1154

2 Date:

(Filing No. H-)

3 CRIMINAL JUSTICE AND PUBLIC SAFETY

4 Reproduced and distributed under the direction of the Clerk of the House.

5 STATE OF MAINE
6 HOUSE OF REPRESENTATIVES
7 130TH LEGISLATURE
8 SECOND REGULAR SESSION

9 COMMITTEE AMENDMENT " " to H.P. 832, L.D. 1154, "An Act To Improve
10 the Safety of Prisoners and Jail Staff by Limiting Work Hours of Jail Employees"

11 Amend the bill by striking out all of the emergency preamble.

12 Amend the bill by striking out everything after the enacting clause and inserting the
13 following:

14 'Sec. 1. 30-A MRSA §1511 is enacted to read:

15 §1511. Hours of employees

16 Beginning January 1, 2024, a jail employee may not work more than 18 hours in a 24-
17 hour period except in exceptional circumstances or when the Governor has declared a state
18 of emergency pursuant to Title 37-B, section 742, subsection 1. For the purposes of this
19 section, "exceptional circumstances" means circumstances beyond the control of the sheriff
20 or jail administrator that pose a threat to the safekeeping of persons committed or
21 transferred to or detained in the custody of the jail, the safe operation of the jail in
22 accordance with this chapter and the standards set pursuant to Title 34-A, chapter 1,
23 subchapter 2 or the safe performance of their duties by employees of the jail.'

24 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
25 number to read consecutively.

26 SUMMARY

27 This amendment is the majority report of the committee. This amendment replaces the
28 bill. The amendment prohibits, beginning January 1, 2024, a jail employee from working
29 more than 18 hours in a 24-hour period except in exceptional circumstances or when the
30 Governor has declared a state of emergency pursuant to the Maine Revised Statutes, Title
31 37-B, section 742, subsection 1. The amendment defines "exceptional circumstances" to
32 mean circumstances beyond the control of the sheriff or jail administrator that pose a threat
33 to the safekeeping of persons committed or transferred to or detained in the custody of the
34 jail, the safe operation of the jail in accordance with Title 30-A, chapter 13 and the

COMMITTEE AMENDMENT

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R O F S

COMMITTEE AMENDMENT " " to H.P. 832, L.D. 1154

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standards set pursuant to Title 34-A, chapter 1, subchapter 2 or the safe performance of their duties by employees of the jail.

COMMITTEE AMENDMENT

Approved: 02/18/22 *mac*

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130th MAINE LEGISLATURE

LD 1154

LR 1900(02)

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

Fiscal Note for Bill as Amended by Committee Amendment " "

Committee: Criminal Justice and Public Safety

Fiscal Note Required: No

Fiscal Note

No fiscal impact



130th MAINE LEGISLATURE

FIRST SPECIAL SESSION-2021

Legislative Document

No. 1504

H.P. 1114

House of Representatives, April 15, 2021

An Act To Enhance Use of Critical Incident Stress Management Teams for Firefighters

Received by the Clerk of the House on April 13, 2021. Referred to the Committee on Criminal Justice and Public Safety pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Robert B. Hunt
ROBERT B. HUNT
Clerk

Presented by Representative GRAMLICH of Old Orchard Beach.
Cosponsored by Representatives: GROHOSKI of Ellsworth, O'CONNELL of Brewer, SACHS of Freeport, SHEEHAN of Biddeford, Senator: STEWART of Aroostook.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 25 MRSA §4201, sub-§1**, as amended by PL 2019, c. 89, §1, is further
3 amended to read:

4 **1. Critical incident.** "Critical incident" means a work-related incident that causes or
5 has the potential to cause an employee or member of a public safety agency, a fire
6 department or an organization involved in emergency care or response, a corrections officer
7 as defined in section 2801-A, subsection 2, a firefighter or an employee of a county jail or
8 a detention or correctional facility operated by the Department of Corrections to experience
9 emotional or physical stress. "Critical incident" includes, but is not limited to, use-of-force
10 encounters that may result in the death of or serious injury to another person or an officer,
11 member or employee, fires or other public safety emergencies, fatal motor vehicle
12 accidents, child abuse investigations, emergency care or response operations and death
13 investigations.

14 **Sec. 2. 25 MRSA §4201, sub-§2-A** is enacted to read:

15 **2-A. Commissioner.** "Commissioner" means the Commissioner of Public Safety.

16 **Sec. 3. 25 MRSA §4201, sub-§3-A** is enacted to read:

17 **3-A. Fire department.** "Fire department" means the State Fire Marshal, a municipal
18 fire department under Title 30-A, section 3151, subsection 1, a volunteer fire association
19 under Title 30-A, section 3151, subsection 3 or a fire district under Title 30-A, chapter 164.

20 **Sec. 4. 25 MRSA §4201, sub-§3-B** is enacted to read:

21 **3-B. Firefighter.** "Firefighter" has the same meaning as in Title 39-A, section 328-B,
22 subsection 1, paragraph C.

23 **Sec. 5. 25 MRSA §4203** is enacted to read:

24 **§4203. Firefighters**

25 **1. Critical incident stress management team services.** The commissioner shall
26 ensure that critical incident stress management team services are available to every
27 firefighter in the State, including by:

28 A. Supporting the establishment of a critical incident stress management team for a
29 fire department or through a collaboration of more than one fire department;

30 B. Providing critical incident stress management team services for a fire department
31 that does not have a critical incident stress management team;

32 C. Establishing a program for critical incident stress management training for at least
33 one firefighter in every fire department; and

34 D. Providing educational, training and promotional programs and materials to fire
35 departments to increase awareness of or provide support for critical incident stress
36 management team services.

37 **2. Fire departments.** A fire department shall employ or have as an active member at
38 least one firefighter who has received critical incident stress management training and
39 provide education and access to ongoing behavioral health care related to any post-
40 traumatic stress resulting from a critical incident experienced by a firefighter of the fire

1 department. A fire department shall within department resources maintain a critical
2 incident stress management team, which may include collaboration with another fire
3 department.

4 **3. Collaboration.** The commissioner shall collaborate with the Department of
5 Defense, Veterans and Emergency Management, Maine Emergency Management Agency,
6 a nonprofit organization representing professional firefighters in the State and other
7 governmental and nonprofit organizations that have an interest in firefighting or emergency
8 or stress management in carrying out the purposes of this section.

9 **4. Rules.** The commissioner may adopt rules to carry out the purposes of this section.
10 Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5,
11 chapter 375, subchapter 2-A.

12 **SUMMARY**

13 This bill directs the Commissioner of Public Safety to provide critical incident stress
14 management team services to all firefighters in the State by assisting fire departments in
15 establishing critical incident stress management teams individually or in groups, providing
16 critical incident stress management team services to a fire department that does not have a
17 team, providing critical incident stress management training for at least one firefighter in
18 every fire department and providing education, training and promotional programs and
19 materials regarding critical incident stress management teams and services to fire
20 departments. This bill also requires fire departments to have at least one employee or
21 firefighter who has received critical incident stress management training and provide
22 education and access to ongoing behavioral health care related to post-traumatic stress
23 experienced by a firefighter. A fire department is also required, within department
24 resources, to maintain a critical incident stress management team, which may include
25 collaboration with another fire department.

COMMITTEE VOTING TALLY SHEET

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LD # or Confirmation: LD 1504

Committee: Criminal Justice and Public Safety

Date: 02/07/2022

Motion: Ought To Pass As Amended

Motion by: Rep. Morales

Seconded by: Rep. C. Warren

Those Voting in Favor of the Motion	Recommendation of those opposed to the Motion					Absent	Abstain
	ONTP						

Senators

Sen. Deschambault	X						
Sen. Cyrway		X					
Sen. Lawrence	X						

Representatives

Rep. C. Warren	X						
Rep. Costain		X					
Rep. Lookner	X						
Rep. Morales	X						
Rep. Newman		X					
Rep. Pickett		X					
Rep. Pluecker	X						
Rep. Reckitt	X						
Rep. Rudnicki		X					
Rep. Sharpe	X						

ROFS

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L.D. 1504

Date:

(Filing No. H-)

CRIMINAL JUSTICE AND PUBLIC SAFETY

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1114, L.D. 1504, “An Act To Enhance Use of Critical Incident Stress Management Teams for Firefighters”

Amend the bill by striking out the title and substituting the following:

'An Act To Enhance Use of Critical Incident Stress Management Teams for Firefighters and for Employees and Members of a Public Safety Agency, a Fire Department or an Agency Involved in Emergency Care or Response'

Amend the bill by inserting after section 1 the following:

'Sec. 2. 25 MRSA §4201, sub-§1-A, as enacted by PL 2019, c. 89, §2, is amended to read:

1-A. Critical incident stress management peer support. "Critical incident stress management peer support" means services provided to an employee or member of a public safety agency, a fire department or an organization involved in emergency care or response, a corrections officer as defined in section 2801-A, subsection 2, a firefighter or an employee of a county jail or a detention or correctional facility operated by the Department of Corrections when that person has been involved in a critical incident that can reasonably have a devastating, long-lasting effect on that person. "Critical incident stress management peer support" includes assisting the employee, member, firefighter or officer to appropriately process the trauma and stress and connecting that person to appropriate resources.'

Amend the bill by inserting after section 4 the following:

'Sec. 5. 25 MRSA §4202, sub-§1, as amended by PL 2019, c. 89, §6, is further amended to read:

1. Information confidential. Except as provided in subsection 2, all proceedings, communications and records, including, but not limited to, information concerning the identity of a person seeking or being furnished assistance, connected in any way with the work of a critical incident stress management team, including critical incident stress management peer support persons, are confidential and are not subject to compulsory legal

COMMITTEE AMENDMENT

ROFS

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1 process or otherwise discoverable or admissible in evidence in any civil action unless the
2 confidentiality is waived by the ~~affected person~~ person seeking or receiving assistance.
3 Statistical data not identifying a person seeking or receiving the assistance of a critical
4 incident stress management team must be made available for statistical evaluation and may
5 not be made available for any other purpose.'

6 Amend the bill by striking out all of section 5 and inserting the following:

7 'Sec. 5. 25 MRSA §4203 is enacted to read:

8 **§4203. Critical incident stress management services**

9 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
10 following terms have the following meanings.

11 A. "Affected person" means a firefighter or employee or member of a provider.

12 B. "Provider" means a public safety agency, fire department or organization involved
13 in emergency care or response in the State.

14 **2. Critical incident stress management services.** The commissioner shall ensure
15 that critical incident stress management team services are available to all affected persons,
16 including by:

17 A. Supporting the establishment of a critical incident stress management team for
18 every provider or through a collaboration of more than one provider;

19 B. Providing critical incident stress management team services for every provider that
20 does not have a critical incident stress management team;

21 C. Establishing a program for critical incident stress management training for at least
22 one firefighter in every fire department and at least one employee or member of every
23 public safety agency or organization involved in emergency care or response;

24 D. Beginning July 1, 2023 and as part of preservice and in-service training under
25 chapter 341, providing educational, training and promotional programs and materials,
26 including, but not limited to, programs and materials related to trauma, to all affected
27 persons to increase awareness of or provide support for critical incident stress
28 management team services; and

29 E. Providing access to behavioral health care services for all affected persons
30 immediately after a traumatic event in which the affected person or provider has
31 provided care, response or services.

32 **3. Access to critical incident stress management training and behavioral health**
33 **care.** A provider shall employ or have as an active member at least one person who has
34 received critical incident stress management training pursuant to subsection 2, paragraph
35 C, shall provide education and access to ongoing behavioral health care services related to
36 any post-traumatic stress resulting from a critical incident experienced by an affected
37 person and shall, within existing department resources, maintain a critical incident stress
38 management team, which may include collaboration with another provider.

39 **4. Collaboration; implementation.** The commissioner shall collaborate with the
40 Department of Defense, Veterans and Emergency Management, Maine Emergency
41 Management Agency, a nonprofit organization representing professional firefighters in the
42 State and other governmental and nonprofit organizations that have an interest in law

COMMITTEE AMENDMENT

1 enforcement, firefighting, emergency care or response or emergency management or stress
 2 management in carrying out the purposes of this section. The commissioner shall designate
 3 a full-time employee to oversee the implementation of this section, including, but not
 4 limited to, assisting with rulemaking and coordination among providers. In overseeing
 5 implementation of this section, the department shall, to the extent appropriate, contract for
 6 training and ancillary services with employee organizations of providers that have
 7 experience and expertise in providing such training and services.

8 5. Rules. The commissioner may adopt rules to carry out the purposes of this section.
 9 Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5,
 10 chapter 375, subchapter 2-A.'

11 Amend the bill by inserting after section 5 the following:

12 'Sec. 6. Appropriations and allocations. The following appropriations and
 13 allocations are made.

14 **PUBLIC SAFETY, DEPARTMENT OF**

15 **Administration - Public Safety 0088**

16 Initiative: Provides funding for one Public Service Manager I position and related costs to
 17 implement and administer a critical incident stress management program.

18	GENERAL FUND	2021-22	2022-23
19	POSITIONS - LEGISLATIVE COUNT	0.000	1.000
20	Personal Services	\$0	\$80,861
21	All Other	\$0	\$5,000
22			
23	GENERAL FUND TOTAL	\$0	\$85,861

24
 25 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
 26 number to read consecutively.

27 **SUMMARY**

28 This amendment is the majority report of the committee. The amendment provides a
 29 new title to reflect that the amendment broadens the provisions of the bill from application
 30 to fire departments to application to public safety agencies, fire departments and
 31 organizations involved in emergency care and response. The amendment adds provisions
 32 for training and education related to trauma, preservice and in-service training, behavioral
 33 health care services and, to the extent appropriate, contracting for training and ancillary
 34 services with employee organizations of public safety agencies, fire departments and
 35 organizations involved in emergency care or response that have experience and expertise
 36 in providing such training and services. The amendment adds a staff person in the
 37 Department of Public Safety to oversee implementation and appropriates funding for that
 38 position. It also makes other technical changes.

39 **FISCAL NOTE REQUIRED**

40 (See attached)



25

130th MAINE LEGISLATURE

LD 1504

LR 1933(02)

An Act To Enhance Use of Critical Incident Stress Management Teams for Firefighters

Fiscal Note for Bill as Amended by Committee Amendment " "

Committee: Criminal Justice and Public Safety

Fiscal Note Required: Yes

Fiscal Note

	FY 2021-22	FY 2022-23	Projections FY 2023-24	Projections FY 2024-25
Net Cost (Savings)				
General Fund	\$0	\$85,861	\$88,287	\$90,786
Appropriations/Allocations				
General Fund	\$0	\$85,861	\$88,287	\$90,786

Fiscal Detail and Notes

The bill includes a General Fund appropriation of \$85,861 in fiscal year 2022-23 for one Public Service Manager I position and related costs to implement and administer a critical incident stress management program.

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130th MAINE LEGISLATURE

SECOND REGULAR SESSION-2022

Legislative Document

No. 1797

H.P. 1338

House of Representatives, December 9, 2021

An Act To Amend the Laws Governing the Maine Length of Service Award Program

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Clerk of the House on December 7, 2021. Referred to the Committee on Criminal Justice and Public Safety pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

ROBERT B. HUNT
Clerk

Presented by Representative THERIAULT of China.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 5 MRSA §3372, sub-§3, ¶A**, as enacted by PL 2015, c. 352, §1, is amended
3 to read:

4 A. The board, as established in section 12004-G, subsection 30-E, is composed of 7 9
5 trustees, as follows:

6 (1) Four persons who are eligible volunteers, appointed by the Governor. Three
7 of the persons appointed under this subparagraph must be selected from a list of 6
8 nominees submitted by a statewide federation of firefighters;

9 (2) A chief of a municipal fire department, appointed by the Governor and selected
10 from a list of 3 nominees submitted by a statewide association of fire chiefs;

11 (3) A person who is qualified through training or experience in the field of
12 investments, accounting, banking or insurance or who is an actuary, appointed by
13 the Governor; and

14 (4) A person designated by a statewide municipal association; and

15 (5) Two persons who are licensed emergency medical services persons under Title
16 32, section 82, appointed by the Governor and selected from a list of 3 nominees
17 submitted by the Department of Public Safety, Maine Emergency Medical
18 Services.

19 **Sec. 2. 5 MRSA §3372, sub-§8**, as enacted by PL 2015, c. 352, §1, is repealed and
20 the following enacted in its place:

21 **8. Service credit.** The following provisions govern service credit.

22 A. Service credit may be allowed in the program only for volunteer emergency service
23 rendered as an eligible volunteer. The requirements to be met by an eligible volunteer
24 to earn one year of service credit must be consistent with the provisions in paragraph
25 B and set forth in rules adopted by the board pursuant to subsection 21, which may be
26 amended from time to time at the discretion of the board.

27 B. The annual service credit calculation must be based on the following.

28 (1) For a firefighter as described in subsection 1, paragraph D, subparagraph (1):

29 (a) A total of 55 points may be earned based on attendance at calls for service;

30 (b) A total of 35 points may be earned based on attendance at training classes;
31 and

32 (c) A total of 10 points may be earned based on attendance at municipal fire
33 department meetings.

34 (2) For an emergency medical services person as described in subsection 1,
35 paragraph D, subparagraph (2):

36 (a) A total of 65 points may be earned based on attendance at calls for service
37 or shifts that were worked by the emergency medical services person;

38 (b) A total of 25 points may be earned based on achieving continuing
39 education units to maintain an active license for an emergency medical
40 services person under Title 32, section 82; and

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(c) A total of 10 points may be earned based on attendance at emergency medical services department meetings.

SUMMARY

This bill provides 2 additional members who are licensed emergency medical services persons to the Maine Length of Service Award Program Board of Trustees. The bill also provides statutory guidelines for calculating service credit within the program for firefighters and emergency medical services persons.

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L.D. 1797

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Date:

(Filing No. H-)

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CRIMINAL JUSTICE AND PUBLIC SAFETY

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Reproduced and distributed under the direction of the Clerk of the House.

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STATE OF MAINE

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HOUSE OF REPRESENTATIVES

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130TH LEGISLATURE

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SECOND REGULAR SESSION

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COMMITTEE AMENDMENT " " to H.P. 1338, L.D. 1797, "An Act To Amend the Laws Governing the Maine Length of Service Award Program"

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Amend the bill by striking out everything after the enacting clause and inserting the following:

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Sec. 1. 5 MRSA §3372, sub-§1, ¶A-1 is enacted to read:

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A-1. "Ambulance service" means an ambulance service licensed by the Emergency Medical Services' Board pursuant to Title 32, section 88.

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Sec. 2. 5 MRSA §3372, sub-§1, ¶C-1 is enacted to read:

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C-1. "Department" means a fire department, an ambulance service or a nontransporting emergency medical service.

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Sec. 3. 5 MRSA §3372, sub-§1, ¶D, as enacted by PL 2015, c. 352, §1, is amended to read:

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D. "Eligible volunteer" means a bona fide volunteer performing qualified services in a ~~municipal~~ fire department if that bona fide volunteer is:

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(1) A firefighter who is an active part-time or on-call member of a ~~municipal~~ fire department or a volunteer firefighter; or

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(2) An emergency medical services person or an emergency medical services ambulance operator who is duly licensed under rules and protocols established by the Emergency Medical Services' Board pursuant to Title 32, section 88 and who provides on-call, part-time or volunteer emergency medical treatment response under the direction of the chief of a ~~municipal~~ fire department and who is duly licensed under rules and protocols established by the Emergency Medical Services' Board pursuant to Title 32, section 88 or for an ambulance service or a nontransporting emergency medical service.

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Sec. 4. 5 MRSA §3372, sub-§1, ¶D-1 is enacted to read:

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COMMITTEE AMENDMENT

1 D-1. "Emergency medical services ambulance operator" has the same meaning as in
2 Title 32, section 83, subsection 12-A.

3 **Sec. 5. 5 MRSA §3372, sub-§1, ¶D-2** is enacted to read:

4 D-2. "Emergency Medical Services' Board" means the Emergency Medical Services'
5 Board established pursuant to Title 5, section 12004-A, subsection 15.

6 **Sec. 6. 5 MRSA §3372, sub-§1, ¶G,** as enacted by PL 2015, c. 352, §1, is repealed.

7 **Sec. 7. 5 MRSA §3372, sub-§1, ¶G-1** is enacted to read:

8 G-1. "Fire department" means an organized firefighting unit established under
9 municipal charter or ordinance or under bylaws to prevent and extinguish fires and, if
10 authorized by charter, ordinance or bylaw, to provide emergency services.

11 **Sec. 8. 5 MRSA §3372, sub-§1, ¶G-2** is enacted to read:

12 G-2. "Nontransporting emergency medical service" means a nontransporting
13 emergency medical service licensed by the Emergency Medical Services' Board
14 pursuant to Title 32, section 88.

15 **Sec. 9. 5 MRSA §3372, sub-§3, ¶A,** as enacted by PL 2015, c. 352, §1, is amended
16 to read:

17 A. The board, as established in section 12004-G, subsection 30-E, is composed of 7 ~~9~~
18 trustees, as follows:

19 (1) Four persons who are eligible volunteers, appointed by the Governor. Three
20 of the persons appointed under this subparagraph must be selected from a list of 6
21 nominees submitted by a statewide federation of firefighters;

22 (2) A chief of a municipal fire department, appointed by the Governor and selected
23 from a list of 3 nominees submitted by a statewide association of fire chiefs;

24 (3) A person who is qualified through training or experience in the field of
25 investments, accounting, banking or insurance or who is an actuary, appointed by
26 the Governor; and

27 (4) A person designated by a statewide municipal association; and

28 (5) Two persons who are licensed as emergency medical services persons under
29 Title 32, chapter 2-B, appointed by the Governor and selected from a list of 3
30 nominees submitted by the Emergency Medical Services' Board.

31 **Sec. 10. 5 MRSA §3372, sub-§7,** as enacted by PL 2015, c. 352, §1, is amended to
32 read:

33 **7. Waiver of participation.** An eligible volunteer may waive the right to participate
34 in the program by filing with the board a written, signed and irrevocable waiver of
35 participation that is signed by the ~~fire chief, as described in Title 30-A, section 3153, of a~~
36 municipal fire or service chief of the department of which the eligible volunteer is a
37 member.

38 **Sec. 11. 5 MRSA §3372, sub-§9,** as enacted by PL 2015, c. 352, §1, is amended to
39 read:

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9. Procedure for reporting service credit. A ~~municipal fire~~ department shall submit a list of all persons who were eligible volunteers during a calendar year to the board for review and approval by May 1st following the end of that calendar year. The list must indicate which eligible volunteers earned service credit during the calendar year and must be prepared, certified under oath by the ~~fire~~ chief of the ~~municipal fire~~ department, posted in the ~~fire~~ department for at least 30 days and then submitted to and received by the board by May 1st. During the 30-day posting period, an eligible volunteer must be given the opportunity to dispute the service credit shown for the eligible volunteer in accordance with law. The ~~fire~~ chief shall indicate in writing to the board that the list was posted for at least 30 days and that all disputes regarding the service credit shown on the list as having been earned during the year have been resolved. The board, at its sole discretion, may audit a list prepared by a ~~municipal fire~~ department under this subsection. If the list is not received by the board by May 1st, a contribution may not be credited to the program account of any eligible volunteer whose name was or should have been reported on the list as having earned one year of service credit during the calendar year, except as provided in subsection 12.

Sec. 12. 5 MRSA §3372, sub-§10, ¶C, as enacted by PL 2015, c. 352, §1, is amended to read:

C. A ~~municipal fire~~ department or a fire company or volunteer organization associated with a ~~municipal fire~~ department;

Sec. 13. 5 MRSA §3372, sub-§11, ¶C, as enacted by PL 2015, c. 352, §1, is amended to read:

C. A ~~municipal fire~~ department subaccount, which is an account of a participant derived from contributions from a specific ~~municipal fire~~ department or a fire company or volunteer organization associated with a ~~municipal fire~~ department to the program. A participant's ~~municipal fire~~ department subaccount must reflect the respective contributions from that ~~municipal fire~~ department or fire company or volunteer organization associated with a ~~municipal fire~~ department along with forfeitures, investment income or loss as well as administrative and investment expenses allocated to the subaccount and distributions paid from the subaccount. A participant's ~~municipal fire~~ department subaccount is subject to the vesting schedule set forth in subsection 12.

(1) For a given calendar year, the total contribution from a specific ~~municipal fire~~ department or a fire company or volunteer organization associated with a ~~municipal fire~~ department, if any, must be allocated equally to the ~~municipal fire~~ department subaccounts of the participants who are eligible volunteers of that ~~municipal fire~~ department or fire company or volunteer organization associated with a ~~municipal fire~~ department and who earned one year of service credit during that calendar year.

(2) Forfeitures from a participant's ~~municipal fire~~ department subaccount must be added to and allocated as ~~municipal fire~~ department contributions as designated by the ~~municipal fire~~ department or fire company or volunteer organization associated with a ~~municipal fire~~ department in the calendar year in which the forfeitures are determined to occur pursuant to subsection 13;'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

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SUMMARY

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This amendment replaces the bill. The amendment clarifies that the Emergency Medical Services' Board nominates emergency medical services persons to the Governor for service on the Maine Length of Service Award Program Board of Trustees. The amendment makes eligible for the Maine Length of Service Award Program qualified persons who volunteer with fire departments, ambulance services and nontransporting emergency medical services.

FISCAL NOTE REQUIRED

(See attached)



130th MAINE LEGISLATURE

LD 1797

LR 2443(02)

An Act To Amend the Laws Governing the Maine Length of Service Award Program

Fiscal Note for Bill as Amended by Committee Amendment " "

Committee: Criminal Justice and Public Safety

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Additional costs to the Department of Public Safety associated with reimbursing additional expenses of the board can be absorbed within existing budgeted resources.



130th MAINE LEGISLATURE

SECOND REGULAR SESSION-2022

Legislative Document

No. 1859

S.P. 645

In Senate, January 5, 2022

An Act To Build More Sustainable Ambulance Services in Communities

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator CURRY of Waldo.
Cosponsored by Senators: CYRWAY of Kennebec, President JACKSON of Aroostook, LUCHINI of Hancock, MAXMIN of Lincoln, RAFFERTY of York, Representatives: MARTIN of Eagle Lake, MEYER of Eliot, PERRY of Calais.

1 Be it enacted by the People of the State of Maine as follows:

2 Sec. 1. 32 MRSA §88, sub-§2, ¶L is enacted to read:

3 L. The board shall establish a public education program for the purpose of educating
4 a community, or a group of communities, including public and civic leaders, on the
5 current capacity and costs of emergency medical services in the State. The program
6 must provide members of the public and stakeholders detailed information regarding
7 alternative strategies and options for meeting emergency medical services needs.

8 **SUMMARY**

9 This bill directs the Emergency Medical Services' Board to establish a public education
10 program for the purpose of educating a community, or a group of communities, including
11 public and civic leaders, on the current capacity and costs of emergency medical services
12 in the State. The public education program is required to provide members of the public
13 and stakeholders detailed information regarding alternative strategies and options for
14 meeting emergency medical services needs.

ROFS

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L.D. 1859

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Date:

(Filing No. S-)

CRIMINAL JUSTICE AND PUBLIC SAFETY

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE
SENATE
130TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT " " to S.P. 645, L.D. 1859, "An Act To Build More Sustainable Ambulance Services in Communities"

Amend the bill by striking out the title and substituting the following:
'An Act To Establish the Maine Emergency Medical Services Community Grant Program'

Amend the bill by striking out everything after the enacting clause and inserting the following:

Sec. 1. 32 MRSA §97 is enacted to read:

§97. Maine Emergency Medical Services Community Grant Program

The Maine Emergency Medical Services Community Grant Program is established as a pilot program to provide grants to communities for the review and consideration of the provision of effective and efficient emergency medical services.

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings:

A. "Community" means a municipality or group of municipalities.

B. "Program" means the Maine Emergency Medical Services Community Grant Program pilot program established under this section.

2. Purpose and use of grant funding. The purpose of the program is to provide financial assistance to communities that plan to examine or are examining the provision of emergency medical services through a process of informed community self-determination and are considering a new, financially stable structure for delivering emergency medical services that provides high-quality services effectively and efficiently. Recipient communities may use grant funds to review current capacity and consider alternative models for providing emergency medical services, including, but not limited to, for the following activities:

COMMITTEE AMENDMENT

ROFS

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A. Engaging with the individuals, institutions and businesses in the community to plan for emergency medical services;

B. Determining the current level and financial health of emergency medical services that serve the community;

C. Identifying issues in the community that challenge or improve the provision of emergency medical services;

D. Developing options for the structure, delivery and financing of emergency medical services that will effectively and efficiently serve the community, including options for ensuring long-term financial stability; and

E. Engaging with the individuals, institutions and businesses in the community in reviewing the information collected and considering options developed through the activities engaged in under paragraphs B to D.

3. Board responsibility; financing. The board shall administer grants made under the program. Funding appropriated for the program that is unexpended at the end of a fiscal year is nonlapsing and carries forward to the next fiscal year.

4. Rulemaking. The board shall adopt rules establishing the grant application and selection process and shall administer grant funds appropriated for the program. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

5. Reports. As a condition of receiving grant funding, all grant recipients shall report as required by the board on the use of funds and the results of the actions described by subsection 2.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

**PUBLIC SAFETY, DEPARTMENT OF
Emergency Medical Services 0485**

Initiative: Appropriates one-time funding for the Maine Emergency Medical Services Community Grant Program under the Maine Revised Statutes, Title 32, section 97. This appropriation is nonlapsing and any unexpended balance carries forward to the following fiscal year.

GENERAL FUND	2021-22	2022-23
All Other	\$0	\$200,000
GENERAL FUND TOTAL	\$0	\$200,000

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment replaces the bill and changes the title. The amendment creates a pilot program to provide financial assistance to communities that plan to examine or are

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ROPS

COMMITTEE AMENDMENT " " to S.P. 645, L.D. 1859

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examining the provision of emergency medical services and are considering a new, financially stable structure for delivering emergency medical services that provides high-quality services effectively and efficiently. The amendment requires recipients of grant funding to report to the Emergency Medical Services Board as required by the board. The amendment provides \$200,000 for fiscal year 2022-23 in nonlapsing funds for grants to communities that undertake processes to determine the structure of the delivery of emergency medical services in the future through a process of informed community self-determination.

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT



130th MAINE LEGISLATURE

LD 1859

LR 2456(02)

An Act To Build More Sustainable Ambulance Services in Communities

Fiscal Note for Bill as Amended by Committee Amendment " "

Committee: Criminal Justice and Public Safety

Fiscal Note Required: Yes

Fiscal Note

	FY 2021-22	FY 2022-23	Projections FY 2023-24	Projections FY 2024-25
Net Cost (Savings)				
General Fund	\$0	\$200,000	\$0	\$0
Appropriations/Allocations				
General Fund	\$0	\$200,000	\$0	\$0

Fiscal Detail and Notes

The bill includes a one-time General Fund appropriation of \$200,000 in fiscal year 2022-23 to the Department of Public Safety for the Maine Emergency Medical Services community grant program.