

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTIETH LEGISLATURE

FIRST REGULAR SESSION
December 2, 2020 to March 30, 2021

FIRST SPECIAL SESSION
April 28, 2021 to July 19, 2021

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 29, 2021

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
OCTOBER 18, 2021

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2021

**CHAPTER 207
H.P. 502 - L.D. 690**

**An Act To Ensure That
Victims of Assault, Battery and
False Imprisonment, Including
Victims of Domestic Violence,
Have Parity under Tort Law**

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 statute of limitations for most tort causes of action is 6 years; and

Whereas, the statute of limitations for assault and battery and false imprisonment is only 2 years, effectively depriving victims of domestic violence, among others, the same opportunity that most other victims of torts have to seek redress for their damages; and

Whereas, changing the statute of limitations for assault and battery and false imprisonment as soon as possible will allow those whose claims would otherwise be foreclosed while waiting for this Act to be effective an opportunity to seek redress;

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. 14 MRSA §753, as amended by PL 1985, c. 804, §§1 and 22, is further amended to read:

§753. Two years

Actions for assault and battery, and for false imprisonment, slander and libel shall ~~shall~~ **must** be commenced within 2 years after the cause of action accrues.

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

Effective June 15, 2021.

**CHAPTER 208
H.P. 1214 - L.D. 1631**

**An Act To Amend the Laws
Banning Polystyrene Foam
Regarding Packaging for Meat,
Poultry, Fish, Seafood and
Eggs**

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

Whereas, due to the pandemic related to the novel coronavirus disease, the Department of Environmental Protection has delayed until July 1, 2021 the enforcement of the law prohibiting the processing, preparation, sale or provision of food or beverages by certain establishments in or on a polystyrene foam disposable food service container, which was set to take effect on January 1, 2021; and

Whereas, that law exempts from its prohibition the retail sale of food or beverages that certain establishments purchase prepackaged at wholesale in or on a polystyrene foam disposable food service container; and

Whereas, that exemption has been interpreted to allow meat, poultry, fish, seafood and eggs from out-of-state producers, but not Maine-based producers, to be sold at retail in Maine when purchased prepackaged at wholesale in or on a polystyrene foam disposable food service container; and

Whereas, to ensure fairness in the treatment of both out-of-state and Maine-based meat, poultry, fish, seafood and egg producers under that law prior to its anticipated enforcement beginning July 1, 2021, immediate enactment of this legislation is necessary; 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. 38 MRSA §1571, sub-§3, as enacted by PL 2019, c. 62, §1, is amended to read:

3. Disposable food service container. "Disposable food service container" means service ware designed for one-time use.

A. "Disposable food service container" includes service ware for take-out foods, ~~packaged meat, eggs,~~ bakery products and leftovers from partially consumed meals prepared by covered establishments.