

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND THIRTY-FIRST LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 7, 2022 to March 30, 2023**

**FIRST SPECIAL SESSION**  
**April 5, 2023 to July 26, 2023**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NONEMERGENCY LAWS IS**  
**JUNE 29, 2023**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NONEMERGENCY LAWS IS**  
**OCTOBER 25, 2023**

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

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**Augusta, Maine**  
**2023**

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

Effective April 24, 2023.

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**CHAPTER 35  
H.P. 213 - L.D. 339**

**An Act to Provide Electronic  
Access to Confidential Juror  
Information**

**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 judicial branch has already purchased and implemented the technology necessary to effectuate the electronic transfer of information as permitted by this legislation; 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. 14 MRSA §1254-A, sub-§7,** as amended by PL 2005, c. 285, §1, is further amended to read:

**7. Availability of qualification forms.** The names of prospective jurors and the contents of juror qualification forms are confidential and may not be disclosed except as provided in this chapter. The names of prospective jurors and the contents of juror qualification forms may at the discretion of the court be made available to the attorneys and their agents and investigators and the pro se parties at the courthouse for use in the conduct of voir dire examination. The court may provide this information electronically on request.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect 30 days after approval.

Effective April 24, 2023.

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**CHAPTER 36  
S.P. 27 - L.D. 35**

**An Act to Establish Adult  
Protective Services Training  
Requirements for Professionals  
Mandated to Report Suspected  
Abuse, Neglect or Exploitation  
to Enhance Protection of  
Incapacitated and Dependent  
Adults**

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

**Sec. 1. 22 MRSA §3477, sub-§8** is enacted to read:

**8. Training requirement.** A person required to make a report under subsection 1, paragraph A shall complete at least once every 4 years mandated reporter training approved by the department.

See title page for effective date.

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**CHAPTER 37  
H.P. 65 - L.D. 97**

**An Act to Repeal the Hospital  
and Health Care Provider  
Cooperation Act**

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

**Sec. 1. 22 MRSA c. 405-A,** as amended, is repealed.

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

**ATTORNEY GENERAL, DEPARTMENT OF  
THE**

**Administration - Attorney General 0310**

Initiative: Deallocates funds for one Assistant Attorney General position due to the repeal of the Hospital and Health Care Provider Cooperation Act.

OTHER SPECIAL REVENUE FUNDS	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$175,120)	(\$183,875)
All Other	(\$8,692)	(\$8,692)
OTHER SPECIAL REVENUE	(\$183,812)	(\$192,567)
FUNDS TOTAL		
 ATTORNEY GENERAL, DEPARTMENT OF THE DEPARTMENT TOTALS	 2023-24	 2024-25

OTHER SPECIAL REVENUE FUNDS	(\$183,812)	(\$192,567)
DEPARTMENT TOTAL - ALL FUNDS	(\$183,812)	(\$192,567)
<b>HEALTH AND HUMAN SERVICES, DEPARTMENT OF</b>		
<b>Division of Licensing and Certification Z036</b>		
Initiative: Deallocates funds due to the repeal of the Hospital and Health Care Provider Cooperation Act.		
OTHER SPECIAL REVENUE FUNDS	2023-24	2024-25
All Other	(\$204,446)	(\$204,446)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$204,446)	(\$204,446)
<b>HEALTH AND HUMAN SERVICES, DEPARTMENT OF</b>		
DEPARTMENT TOTALS	2023-24	2024-25
OTHER SPECIAL REVENUE FUNDS	(\$204,446)	(\$204,446)
DEPARTMENT TOTAL - ALL FUNDS	(\$204,446)	(\$204,446)
<b>SECTION TOTALS</b>		
OTHER SPECIAL REVENUE FUNDS	2023-24	2024-25
	(\$388,258)	(\$397,013)
SECTION TOTAL - ALL FUNDS	(\$388,258)	(\$397,013)

See title page for effective date.

**CHAPTER 38**

**S.P. 57 - L.D. 118**

**An Act to Ensure Continuity of Care for Pretrial Defendants**

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

**Sec. 1. 15 MRSA §101-D, sub-§4, ¶B**, as amended by PL 2013, c. 265, §1, is further amended to read:

B. Upon a determination by the State Forensic Service under paragraph A, a court having jurisdiction in a criminal case may commit the defendant to the custody of the Commissioner of Health and Human Services for placement in an appropriate institution for the care and treatment of people with mental illness or in an appropriate residential program that provides care and treatment for persons who have intellectual disabilities or autism for observation

for a period not to exceed 60 days. If the State Forensic Service requires additional time for observation, it shall communicate its request and the reasons for that request to the court and to counsel for the parties. The court shall accommodate a party's request to be heard on the issue of whether an extension should be granted and may extend the commitment for up to an additional 90 days. Unless the defendant objects, an order under this paragraph must authorize the institution or residential program where the defendant is placed by the Commissioner of Health and Human Services to provide treatment to the defendant. When further observation of the defendant is determined no longer necessary by the State Forensic Service, the ~~commissioner~~ Commissioner of Health and Human Services shall report that determination to the court and the court shall terminate the commitment. If the defendant is committed by the court to the custody of the Commissioner of Health and Human Services for observation under this paragraph, the State Forensic Service may release prior court-ordered evaluation reports pertaining to the pending charges, unless otherwise impounded, to each institution or residential program into which the Commissioner of Health and Human Services is considering placing the defendant and, following placement, to the institution or residential program into which the defendant is placed. If the defendant had been incarcerated prior to the commitment for observation and if, during the period of observation, the defendant presents a substantial risk of causing bodily injury to staff or others that cannot be managed in an appropriate institution for the care and treatment of people with mental illness or in an appropriate residential program that provides care and treatment for persons who have intellectual disabilities or autism, the ~~commissioner~~ Commissioner of Health and Human Services may return the defendant to the correctional facility. The ~~commissioner~~ Commissioner of Health and Human Services shall report the risk management issues to the court. Upon receiving the report, the court shall review the report and may enter any order authorized by this section, including termination of the commitment.

See title page for effective date.