

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

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TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2023

**CHAPTER 151
S.P. 332 - L.D. 773**

**An Act to Ensure Access by
Parties and Attorneys to
Records in Child and Adult
Protection Proceedings**

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

Sec. 1. 18-C MRSA §5-701, sub-§4 is enacted to read:

4. Access to records. In any case in which a public guardian or conservator may be or has been appointed by the court under this Article, the Department of Health and Human Services shall disclose to the respondent and the respondent's attorney relevant information from the department's records as required by Title 22, section 3474, subsection 3, paragraph F.

Sec. 2. 22 MRSA §3474, sub-§2, ¶D, as amended by PL 2003, c. 653, §6, is further amended to read:

D. An incapacitated or dependent adult named in a record who is reported to be abused, neglected or exploited or the caretaker, guardian or conservator of the an incapacitated or dependent adult named in a record who is reported to be abused, neglected or exploited;

Sec. 3. 22 MRSA §3474, sub-§3, ¶D, as amended by PL 2021, c. 686, §2, is further amended to read:

D. An advocacy agency conducting an investigation under chapter 961, United States Public Law 88-164, Title I, Part C or United States Public Law 99-319, regarding a developmentally disabled person or mentally ill person who is or who, within the last 90 days, was residing in a facility rendering care or treatment, when a complaint has been received by the agency or there is probable cause to believe that that individual has been subject to abuse or neglect, and that person does not have a legal guardian or the person is under public guardianship. The determination of which information and records are relevant to the investigation is made by agreement between the department and the agency; ~~and~~

Sec. 4. 22 MRSA §3474, sub-§3, ¶E, as amended by PL 2021, c. 686, §3, is amended to read:

E. The Maine Developmental Services Oversight and Advisory Board established in Title 5, section 12004-J, subsection 15. Access is limited to aggregate data regarding investigations under this chapter relating to persons receiving adult developmental services as defined in Title 34-B, section 1001, subsection 1-A. Data must be provided at least

quarterly. The determination of aggregate data to be provided is made by agreement between the department and the Maine Developmental Services Oversight and Advisory Board; ~~and~~

Sec. 5. 22 MRSA §3474, sub-§3, ¶F is enacted to read:

F. The adult who is the subject of the record and the adult's attorney, with protection for identity of reporters and other persons when appropriate. Nothing in this paragraph requires the department to disclose information to a guardian or conservator of the adult who is the subject of the record.

Sec. 6. 22 MRSA §4008, sub-§2, ¶D-2, as enacted by PL 2005, c. 300, §4, is repealed.

Sec. 7. 22 MRSA §4008, sub-§3, ¶L, as amended by PL 2015, c. 381, §2, is further amended to read:

L. To a licensing board of a mandated reporter, in the case of a mandated reporter under section 4011-A, subsection 1 who appears from the record or relevant circumstances to have failed to make a required report. Any information disclosed by the department personally identifying a licensee's client or patient remains confidential and may be used only in a proceeding as provided by Title 5, section 9057, subsection 6; ~~and~~

Sec. 8. 22 MRSA §4008, sub-§3, ¶M, as enacted by PL 2015, c. 381, §3, is amended to read:

M. Law enforcement authorities for entry into the National Crime Information Center database of the Federal Bureau of Investigation and to a national information clearinghouse for missing and exploited children operated pursuant to 42 United States Code, Section 5773(b). Information disclosed pursuant to this paragraph is limited to information on missing or abducted children or youth that is required to be disclosed pursuant to 42 United States Code, Section 671(a)(35)(B); ~~and~~

Sec. 9. 22 MRSA §4008, sub-§3, ¶N is enacted to read:

N. A party to a child protection proceeding and the attorney representing the party in the proceeding, with protection for identity of reporters and other persons when appropriate.

Sec. 10. 22 MRSA §4032, sub-§2, ¶C-1 is enacted to read:

C-1. The phone number and e-mail address, if known, of each parent and custodian, unless the petitioner has reason to believe that disclosing the phone number or e-mail address of the parent and custodian to another parent and custodian in the proceeding would create a safety risk or the petitioner has reason to believe that a parent and custodian has taken steps to avoid disclosing that

parent's and custodian's phone number or e-mail address to another parent and custodian in the proceeding.

See title page for effective date.

**CHAPTER 152
H.P. 597 - L.D. 950**

**An Act to Authorize
Kickboxing and Muay Thai
Competition Under the
Combat Sports Authority of
Maine**

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

Sec. 1. 8 MRSA c. 20, headnote is amended to read:

CHAPTER 20

MIXED MARTIAL ARTS, MUAY THAI, KICK-BOXING AND BOXING

Sec. 2. 8 MRSA §521, sub-§3-B is enacted to read:

3-B. Kickboxing. "Kickboxing" means a combative sport that is a form of boxing in which blows are delivered with the hand and any part of the leg below the hip, including the bare foot, with the intent to disable or cause injury to an opponent in a contest, exhibition or event.

Sec. 3. 8 MRSA §521, sub-§4, as enacted by PL 2009, c. 352, §2, is amended to read:

4. Mixed martial arts. "Mixed martial arts" means a combative sport for compensation that features a mixture of karate, jiu-jitsu, ~~muay thai~~ Muay Thai, tae kwon do, boxing, ~~kick boxing~~ kickboxing, wrestling, judo and striking and grappling techniques.

Sec. 4. 8 MRSA §521, sub-§5 is enacted to read:

5. Muay Thai. "Muay Thai" means a combative sport that is a form of boxing in which blows are delivered with the fist, elbow, knee and shin and in which various clinching techniques are employed, with the intent to disable or cause injury to an opponent in a contest, exhibition or event.

Sec. 5. 8 MRSA §522, sub-§2, as amended by PL 2011, c. 305, §4, is further amended to read:

2. Purpose. The authority is established to regulate and promote mixed martial arts, Muay Thai, kickboxing and boxing competitions, exhibitions and events in the State as set forth in this chapter. A mixed martial

arts, Muay Thai, kickboxing or boxing competition, exhibition or event may not be held in the State prior to the adoption of rules pursuant to this chapter.

Sec. 6. 8 MRSA §522, sub-§7, as amended by PL 2011, c. 305, §4, is further amended to read:

7. Revenue and expenditures. The board may receive revenue from mixed martial arts, Muay Thai, kickboxing and boxing competitions, exhibitions and events, as well as from the sale of goods and merchandise, in accordance with rules adopted pursuant to sections 523 and 524. The authority may apply for, solicit and receive grants, donations and gifts and may receive appropriations from the State and funds from other governmental authorities. All funds received must be spent solely to assist with operational expenses in furtherance of the purpose of the authority. Funds may be used to compensate members of the authority for per diem and expenses in accordance with the board's bylaws. The board may enter into contracts to obtain the assistance of staff sufficient to support operations of the board.

Sec. 7. 8 MRSA §523, sub-§1, as amended by PL 2011, c. 305, §5, is further amended to read:

1. Rules. Adopt rules to protect the health and safety of authorized participants and the integrity of competition, as well as to establish a certification process authorizing participation in a mixed martial arts, Muay Thai, kickboxing or boxing competition, exhibition or event and set the fee schedules for all authorized participants. A certificate authorizing participation in a mixed martial arts, Muay Thai, kickboxing or boxing competition, exhibition or event may be issued for one year or such other time period as may be fixed by rule under this chapter. The board may establish requirements to ensure that a mixed martial arts, Muay Thai, kickboxing or boxing competition, exhibition or event is not conducted unless a promoter's fee has been paid and that each competitor has been examined by a physician who has certified the competitor's fitness to participate in the mixed martial arts, Muay Thai, kickboxing or boxing competition, exhibition or event. Rules adopted pursuant to this subsection are routine technical rules, as defined in Title 5, chapter 375, subchapter 2-A. Notwithstanding this subsection, rules establishing fees, including promotion fees pursuant to section 524, are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A. The authority's rules must include, but are not limited to, the following:

- A. Rules of competition, weighing of participants and scoring of decisions;
- B. Length of contests and rounds;
- C. Availability of medical services, including a requirement that a physician be present during a mixed martial arts, Muay Thai, kickboxing or boxing competition, exhibition or event;