

MAINE STATE LEGISLATURE

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STATE OF MAINE
131ST LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSION



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

JOINT STANDING COMMITTEE ON JUDICIARY

October 2023

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STATE OF MAINE
131ST LEGISLATURE
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**LEGISLATIVE DIGEST OF BILLS AND
SUMMARIES OF ENACTED LAWS**

This *Legislative Digest of Bills and Summaries of Enacted Laws* provides the disposition of all LDs and summaries of all laws enacted or finally passed during the First Regular and First Special Sessions of the 131st Maine Legislature. Please note that all LDs and proposed amendments may be found through the Legislature’s webpage, and each includes a summary of what the bill or amendment proposed.

The *Legislative Digest of Bills and Summaries of Enacted Laws* is arranged alphabetically by committee. Within each committee section is a subject index of all LDs considered by that committee as well as a digest of the LDs, arranged by LD number. Also included are enacted law summaries of the LDs enacted or finally passed. Brief analyst notes on certain LDs are also included: a committee digest will indicate if additional notes are provided for an LD. These notes add information staff found useful and may provide useful information to users of this *Digest*; please note that most LDs do not have a note and lack of a note should not be interpreted as having any significance. A separate section of the *Digest* provides a digest of the relatively few LDs that were not referred to a committee or reported from a committee as a committee bill; enacted law summaries of the LDs enacted or finally passed are provided. Finally, an appendix provides a summary of relevant session statistics.

The final disposition of each LD is noted in the relevant summary digest and index. The following describes the various final actions.

CARRIED OVER..... carried over to a subsequent session of the Legislature
CON RES XXX..... chapter # of constitutional resolution passed by both houses
CONF CMTE UNABLE TO AGREE..... Committee of Conference unable to agree; legislation died
DIED BETWEEN HOUSES..... House & Senate disagreed; legislation died
DIED IN CONCURRENCE.....defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY.....enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE.....emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT..... legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW.....sponsor’s request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY.....ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X.....ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX.....chapter # of enacted public law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor’s veto

The effective date for non-emergency legislation enacted in the First Regular and First Special Sessions of the 131st Legislature is Thursday, June 29, 2023 and Wednesday, October 25, 2023, respectively. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

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exempt property or family allowance; and that the personal representative has the duty to promptly pay the homestead allowance, exempt property and family allowance from available assets, without requiring any demand by the surviving spouse or children.

5. It further delays, until April 1, 2025, the effective date of the statutes governing the confidentiality of records in proceedings for guardianships of adults, conservatorships and other protective arrangements and directs the Supreme Judicial Court to submit a report to the joint standing committee of the Legislature having jurisdiction over judiciary matters by January 1, 2025 summarizing the court's progress toward adopting rules governing the confidentiality of records in probate court proceedings and identifying any potential conflicts between the adopted or proposed rules and any provisions of the Maine Uniform Probate Code.

Public Law 2023, chapter 4 was enacted as an emergency measure effective March 13, 2023.

LD 264 An Act to Clarify the Process for Admission to the Bar on Motion

ENACTED LAW SUMMARY

Public Law 2023, chapter 141 clarifies that an attorney who is admitted to practice law in a state or territory of the United States or the District of Columbia who meets the requirements for admission set forth in the Maine Bar Admission Rules and who applies for admission to the bar on motion must be admitted to practice within one year of the date the board of bar examiners receives the application for admission on motion.

LD 330 An Act Regarding Legal Representation for Residents Facing Eviction

ENACTED LAW SUMMARY

Public Law 2023, chapter 379 requires that a landlord, upon delivery to a tenant of a notice to terminate tenancy, include with that notice a copy of the "form notice" that is required upon service of the summons and complaint in an action of forcible entry and detainer. The law also requires a judge, on each day that judge presides over actions of forcible entry and detainer, prior to the commencement of proceedings for actions of forcible entry and detainer, to announce the availability of legal representation to all tenants who appear on that day in an action of forcible entry and detainer if the judge has been advised of the availability of an attorney to represent tenants in actions of forcible entry and detainer on that day.

LD 339 An Act to Provide Electronic Access to Confidential Juror Information

ENACTED LAW SUMMARY

Under current law, a state court has discretion to make the names of prospective jurors and the contents of juror qualification forms available at the courthouse to the attorneys in a case as well

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as their agents or investigators and also to pro se parties. Public Law 2023, chapter 35 newly authorizes state courts to provide this information to such persons electronically, upon request.

Public Law 2023, chapter 35 was enacted as an emergency measure effective April 24, 2023.

LD 347 An Act Regarding In-court Appearance Requirements for Persons Authorized to Serve Eviction Notices

ENACTED LAW SUMMARY

Public Law 2023, chapter 386 allows a sheriff, deputy or constable who provided service in connection with an eviction to attend the court hearing in an action of forcible entry and detainer remotely, if that person is required to testify to the service of the notice. The law also allows the notice delivered by a sheriff, deputy or constable to be admissible in evidence for the purpose of proving service occurred.

LD 431 An Act to Amend the Law Regarding Foreign Subpoenas

ENACTED LAW SUMMARY

Public Law 2023, chapter 32 corrects errors in terminology in a provision of the Uniform Interstate Depositions and Discovery Act governing the issuance of a subpoena by a clerk of a court in this State upon a person to which a foreign subpoena is directed.

LD 443 An Act to Prohibit Marriage of Any Person Under 17 Years of Age

ENACTED LAW SUMMARY

Public Law 2023, chapter 116 amends the law to categorically prohibit the issuance of a marriage license to any person who is under 17 years of age. It retains the provisions of law authorizing the issuance of a marriage license to a person who is 17 years old with the written consent of the person's parents or guardians or the consent of the judge of probate in the county where the person resides.

LD 459 An Act to Update the Procedures for Issuance of Orders Related to Involuntary Hospitalizations

ENACTED LAW SUMMARY

Public Law 2023, chapter 66 authorizes the electronic transmission through secure means of an application for emergency involuntary commitment and a court order granting an application for