

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
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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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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

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emergency involuntary commitment. It also authorizes a Justice of the Superior Court, Judge of the District Court, Judge of Probate or justice of the peace to endorse the application electronically.

LD 535 An Act Regarding Consent for Gender-affirming Hormone Therapy for Certain Minors

ENACTED LAW SUMMARY

Public Law 2023, chapter 413 establishes a process by which a minor who is mentally and physically competent to give consent may consent to gender-affirming hormone therapy and follow-up care if the minor is at least 16 years of age, has been diagnosed with gender dysphoria, is experiencing or expected to experience harm from not receiving gender-affirming hormone therapy, receives certain detailed information and counseling from a health care professional prior to providing informed written consent and has discussed the gender dysphoria diagnosis with the minor's parent or guardian but that parent or guardian refuses to support treatment of the gender dysphoria. Only a person qualified by training and experience to provide and monitor the provision of gender-affirming hormone therapy, who is authorized by law to prescribe medication and who is licensed by the Board of Licensure in Medicine, the Board of Osteopathic Licensure or the State Board of Nursing may provide gender-affirming hormone therapy to the minor after obtaining the minor's informed written consent.

Public Law 2023, chapter 413 does not restrict the authority of a parent or guardian to consent to gender-affirming hormone therapy for a minor in accordance with established standards of care.

LD 538 An Act Regarding the Appointment of Expert Witnesses in Certain Family Court Actions

ENACTED LAW SUMMARY

Public Law 2023, chapter 90 provides that, if a court appoints an expert other than a guardian ad litem to provide recommendations regarding the award of parental rights and responsibilities or conditions of parent-child contact in cases involving allegations of domestic abuse between the parents, that expert must be a licensed clinical social worker, psychologist or psychiatrist who has training and expertise in how domestic abuse tactics affect adult and child safety, the effects of domestic abuse on children, best practices for recognizing and assessing the effects of domestic abuse on the parent-child relationship and methods for reducing post-separation abuse and promoting child safety and security.