

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
131<sup>ST</sup> LEGISLATURE  
SECOND REGULAR SESSION



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

**JOINT STANDING COMMITTEE ON JUDICIARY**

June 2024

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# STATE OF MAINE

131<sup>ST</sup> 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 Second Regular Session 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 Second Regular Session of the 131st Legislature is Friday, August 9, 2024. 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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### **LD 91 An Act to Adopt the National 2022 Amendments to the Uniform Commercial Code**

#### **ENACTED LAW SUMMARY**

Public Law 2023, chapter 669 updates the Uniform Commercial Code with the 2022 version approved by the National Conference of Commissioners on Uniform State Laws, except the provisions related to electronic money, including a new uniform Article 12 governing controllable electronic records. The Legislature accepts the explanatory notes and Uniform Comments as prepared by the uniform law commissioners as part of the 2022 amendments, except the explanatory notes and Uniform Comments for sections of the Uniform Commercial Code that have not been amended by this law.

Public Law 2023, chapter 669 takes effect July 1, 2025.

### **LD 279 An Act to Protect Against Discrimination by Public Entities**

#### **ENACTED LAW SUMMARY**

Public Law 2023, chapter 489 amends the Maine Human Rights Act to prohibit a public entity from discriminating against an individual, excluding an individual from participation in a service, program or activity of that public entity or otherwise denying to an individual the benefits of a service, program or activity of that public entity by reason of the individual's race or color, sex, sexual orientation or gender identity, age, physical or mental disability, religion, ancestry or national origin. Like a place of public accommodation, however, a public entity is not required to permit an individual to participate in the public entity's services, programs or activities if that individual poses a direct threat to the health or safety of others that cannot be eliminated by a modification of the public entity's policies, practices or procedures or by the provision of auxiliary aids or services. Public Law 2023, chapter 489 also establishes, through June 14, 2025, both a limited-period Assistant Attorney General Position and a limited-period Correctional Care and Treatment Worker position in the Department of Corrections.

Public Law 2023, chapter 489 was finally enacted in both the House and the Senate prior to the adjournment sine die of the First Special Session in 2023 but was not signed by the Governor. Pursuant to the Constitution of Maine, Public Law 2023, chapter 489 became law without the Governor's signature on January 7, 2024.

### **LD 653 An Act to Establish the Maine Commission on Public Defense Services and Establish Public Defender Offices for Aroostook, Penobscot and Piscataquis Counties**

#### **ENACTED LAW SUMMARY**

Public Law 2023, chapter 558 changes the name of the Maine Commission on Indigent Legal Services to the Maine Commission on Public Defense Services in order to more clearly describe

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the commission's mission and functions to the public. It also establishes the positions necessary to create a new public defender office to serve Aroostook County and a new public defender office to serve Penobscot and Piscataquis counties; a new Public Service Coordinator I position to perform investigative services for the existing public defender office in Kennebec County; and new positions in the Maine Commission on Indigent Legal Services' central office designed to assist with the formation and implementation of new public defender offices and training of new public defenders. It authorizes the transfer of funds from the All Other line category to the Personal Services line category of the Maine Commission on Indigent Legal Services program to pay the costs associated with these new positions.

Public Law 2023, chapter 558 was enacted as an emergency measure effective March 21, 2024.

### **LD 747 An Act Regarding the Reporting of Adult Name Changes by the Probate Courts to the State Bureau of Identification**

#### **ENACTED LAW SUMMARY**

Public Law 2023, chapter 560 establishes a uniform process for the reporting of all name changes ordered by a probate court to the Department of Public Safety, Bureau of State Police, State Bureau of Identification.

Part A of Public Law 2023, chapter 560 amends the Maine Uniform Probate Code in the following ways.

1. It requires that an adult seeking a name change in a probate court undergo a criminal history record check and establishes a rebuttable presumption that the court may not order the name change if the adult is currently under official supervision as a probationer, a parolee or a sex offender on supervised release or if the adult is currently required to register as a sex offender.
2. It authorizes a probate court to order that the record of the name change of an adult be kept confidential if the court finds that the adult's interest in maintaining the confidentiality of the record outweighs the public interest in the disclosure of the record. It also establishes a rebuttable presumption that the public's interest in disclosure outweighs the adult's interest in maintaining confidentiality if the adult has been convicted of a Class D or E crime within the five years immediately preceding the filing of the name change request or of a more serious crime within the 10 years immediately preceding the filing of the name change request. The probate court may not order that the record of the name change is confidential if the adult is currently under official supervision as a probationer, a parolee or a sex offender on supervised release or if the adult is currently required to register as a sex offender.
3. Beginning January 1, 2025, it requires a probate court to electronically transmit an abstract of any name change order for an adult, including an order that has been made confidential, to the State Bureau of Identification unless the court orders, upon a showing of extraordinary