

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

MEMBERS:

SEN. ANNE M. CARNEY, CHAIR
SEN. DONNA BAILEY
SEN. PETER LYFORD*
SEN. ERIC BRAKEY*

REP. MATTHEW W. MOONEN, CHAIR
REP. LOIS GALGAY RECKITT
REP. STEPHEN W. MORIARTY
REP. ERIN R. SHEEHAN
REP. ADAM R. LEE
REP. AMY D. KUHN
REP. JENNIFER L. POIRIER
REP. JOHN ANDREWS
REP. DAVID G. HAGGAN
REP. RACHEL ANN HENDERSON
REP. AARON M. DANA

STAFF:

JANET STOCCO, LEGISLATIVE ANALYST
SAMUEL PRAYER, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670
<http://legislature.maine.gov/opla>

*Committee member for a portion of the session

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



**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.

JOINT STANDING COMMITTEE ON JUDICIARY

LD 773 An Act to Ensure Access by Parties and Attorneys to Records in Child and Adult Protection Proceedings

ENACTED LAW SUMMARY

Public Law 2023, chapter 151 requires the Department of Health and Human Services to disclose information in the records in child protection proceedings to the parties in those proceedings and the parties' attorneys, with protection for identity of reporters and other persons when appropriate. To facilitate the initial communication between attorneys assigned to represent parents and custodians in child protection proceedings and their clients, it also requires the department to include in a child protection petition the phone number and e-mail address, if known, of each parent and custodian unless the parent and custodian has taken steps to keep that parent's and custodian's phone number or e-mail address private from another parent and custodian in the proceeding or if disclosure of this information to another parent and custodian in the proceeding would create a safety risk.

In addition, under Public Law 2023, chapter 151, the department has discretion to disclose information in its adult protective records to the caretaker, guardian or conservator of an adult who is the subject of the record but is required to disclose such information to the adult who is the subject of the record and to the adult's attorney, with protection for identity of reporters and other persons when appropriate. The law also makes a conforming amendment to the Maine Uniform Probate Code requiring the disclosure of information in adult protective records to the adult who is the subject of the record and the adult's attorney in any case in which a public guardian or conservator has been or may be appointed.

LD 783 An Act to Protect Certain Private Emergency Services Personnel from Liability Under the Maine Tort Claims Act

ENACTED LAW SUMMARY

Public Law 2023, chapter 311 adds "mutual aid emergency response personnel" to the definition of "employee" under the Maine Tort Claims Act and also creates a definition of "mutual aid emergency response employer" under the Maine Tort Claims Act. The law provides that mutual aid emergency response personnel employed by the Bath Iron Works Corporation or its successor are considered employees for the purposes of the Maine Tort Claims Act, and also provides protection for the Bath Iron Works Corporation or its successor under the Maine Tort Claims Act, only when the personnel are acting pursuant to a mutual aid agreement with a state or municipal entity or in response to a request for aid from a state or municipal entity.