

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
131<sup>ST</sup> 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**  
131<sup>ST</sup> 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 1207 An Act to Implement the Recommendations of the Right To Know Advisory Committee Concerning Public Records Exceptions**

#### **ENACTED LAW SUMMARY**

Public Law 2023, chapter 123 implements the following statutory changes recommended by the Right To Know Advisory Committee after reviewing certain existing public records exceptions in Titles 23, 24 and 24-A.

1. It clarifies that patient names contained in utilization review data reports filed by nonprofit hospitals and medical service organizations with the Superintendent of Insurance must be kept confidential.
2. It makes grammatical corrections to the confidentiality provisions of the Maine Health Security Act related to professional competence reports.
3. It removes the word “strictly” from the section of the Maine Health Security Act requiring confidentiality for all data or information that identifies or permits identification of the insured or insureds or the incident or occurrences for which a claim was made contained in records of the Superintendent of Insurance retained for the purpose of evaluation of policy provisions, rate structures, the arbitration process and for recommendations of further legislation.
4. It removes unnecessary language from the statute governing the confidentiality of information within records maintained by Dirigo Health.

### **LD 1208 An Act to Implement the Recommendations of the Right To Know Advisory Committee Concerning Time Estimates for Responding to Public Records Requests**

#### **ENACTED LAW SUMMARY**

Public Law 2023, chapter 155 implements several recommendations of the Right To Know Advisory Committee to amend provisions in the Freedom of Access Act concerning time and cost estimates for responding to public records requests including the following.

1. It clarifies that, within a reasonable time of receiving a public records request, an agency or official must specify the estimated time frame within which an agency or official will comply with that request.
2. It increases from \$30 to \$50 the estimate cost threshold at which an agency or official must provide the requester with an estimate of the total cost before proceeding with a request for public records.

Public Law 2023, chapter 155 also clarifies that an agency or official may charge a fee to the person who requests a public record for the actual cost of a device used to store the public record, if the public record will be given to the requester on that storage device.

#### ENACTED LAW SUMMARIES