

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.

JOINT STANDING COMMITTEE ON JUDICIARY

LD 1730 An Act to Implement Changes to the Laws Relating to Judicial Separation and Divorce Regarding Preliminary Injunctions as Recommended by the Family Law Advisory Commission

ENACTED LAW SUMMARY

Public Law 2023, chapter 204 amends the statutes mandating the issuance of a preliminary injunction in judicial separation and divorce proceedings filed in the District Court as follows:

1. It clarifies the statutory language to help unrepresented individuals understand its provisions, including by clarifying that the preliminary injunction is an order of the District Court and by providing greater guidance to the parties about the actions that the parties are and are not prohibited from engaging in while the preliminary injunction is in effect
2. It retains the provision prohibiting each party from disposing of the property of the parties while the preliminary injunction is in effect, adding additional prohibitions against damaging or destroying the property of the parties and providing examples of the types of activities that constitute a violation of this prohibition
3. It expands the provision prohibiting each party from causing the other party or the parties' children to lose their health insurance coverage while the preliminary injunction is in effect to include prohibitions against a party causing the loss of dental, disability, casualty, life and motor vehicle insurance coverage.
4. It specifies that each party is prohibited from interfering with mail, e-mail, text messages and other forms of communication addressed to the other party and that each party is prohibited from signing the other party's name to a negotiable instrument while the preliminary injunction is in effect.
5. It clarifies the provision of current law specifying that the preliminary injunction does not prohibit the parties from encumbering or disposing of property in the usual course of business or for the necessities of life and further providing that the preliminary injunction does not prohibit the parties from accessing funds or incurring debt either to retain an attorney for the legal separation or divorce proceeding or to make regular withdrawals in the normal course of retirement.
6. It removes the provision of current law prohibiting the parties from imposing a restraint on the personal liberty of the other party or of a biological or adopted child of either party of the parties while the preliminary injunction is in effect, an issue that the Family Law Advisory Committee recommended may instead be addressed through the protection from abuse process.