

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 1790 An Act Removing the Statute of Limitations on Civil Actions and Criminal Prosecutions for Certain Sexual Offenses Against Minors

ENACTED LAW SUMMARY

Public Law 2023, chapter 475 removes the limitations period for a civil action or criminal prosecution based on conduct against a minor victim that qualifies as the crime of incest; unlawful sexual contact; sexual abuse of a minor; rape or gross sexual assault, formerly denominated as gross sexual misconduct; unlawful sexual touching; or sexual exploitation of a minor. This law applies to a criminal prosecution based on such conduct with a minor victim either if the criminal conduct is committed on or after the effective date of this law or if the prosecution has not yet been barred by the criminal statute of limitations in force immediately prior to the effective date of this law. In addition, pursuant to the Maine Revised Statutes, Title 14, section 752-C, subsection 3, this law applies to all civil actions based upon such conduct with a minor victim regardless of whether the civil statute of limitations on such action expired prior to the effective date of the legislation.

LD 1833 An Act to Amend the Definition of “Educational Institution” Under the Maine Human Rights Act to Include Single-sex Educational Institutions

ENACTED LAW SUMMARY

Public Law 2023, chapter 188 amends the definition of “educational institution” under the Maine Human Rights Act by repealing language that previously exempted a single-sex private school or educational program approved for tuition purposes from all provisions except the anti-disability-discrimination provisions of the Act.

LD 1906 An Act to Enable Confirmatory Adoption

ENACTED LAW SUMMARY

Public Law 2023, chapter 356 establishes a streamlined process, when there are no competing claims of parentage to the child, for the confirmatory adoption of a child either by a single petitioner who gave birth to a child through assisted reproduction or by joint petitioners, one of whom gave birth to a child through assisted reproduction and the other of whom is the presumed parent of the child. Unless required by federal law or ordered by the court for good cause, in evaluating a petition for confirmatory adoption, the court may not require: a hearing, unless requested by a petitioner; a home study, screening for child abuse or other investigation of a petitioner; a federal or state criminal history record check of any person; verification that the child is not on a registry of missing children; appointment of a guardian ad litem; a minimum period of time during which the child must have lived in the home of a petitioner; or an interview with the adoptee, except that, as in other adoptions under state law, the written consent of an adoptee who is 12 years of age or older is required.

ENACTED LAW SUMMARIES