

MAINE STATE LEGISLATURE

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STATE OF MAINE
131ST 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

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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.

JOINT STANDING COMMITTEE ON JUDICIARY

of Maliseet Indians or the chief's designee to certify their respective agreements to Public Law 2023, chapter 370, An Act Regarding the Maine Indian Tribal-State Commission.

LD 1937 An Act Regarding the Transportation of Hazardous Materials by Railroad Companies

ENACTED LAW SUMMARY

Public Law 2023, chapter 618 requires a railroad company to submit to the Commissioner of Transportation, on request, records related to routine inspections of trains, rail corridors and safety equipment and provides that these records are not public records for purposes of the Freedom of Access Act. It also requires railroad companies to submit prevention and response plans to the Department of Environmental Protection.

Public Law 2023, chapter 618 also establishes procedures and notices to be provided to agencies and the public in the event of a mainline train derailment involving hazardous materials and clarifies that any such records are public records for purposes of the Freedom of Access Act. It also requires railroad companies to offer periodic training to fire departments and emergency medical services to address train derailments and requires the Commissioner of Transportation to conduct a review after any accident involving hazardous materials. After conducting a post-accident review, the commissioner must submit a report to the joint standing committees of the Legislature having jurisdiction over railroads and public records matters.

Public Law 2023, chapter 618 was enacted as an emergency measure effective April 12, 2024.

LD 2007 An Act Regarding the Criminal Jurisdiction of Tribal Courts and to Extend the Time for the Penobscot Nation to Certify Its Agreement to Public Law 2023, Chapter 369

ENACTED LAW SUMMARY

Public Law 2023, chapter 647, Parts A to D, amend An Act to Implement the Maine Indian Claims Settlement, commonly known as “the Maine Implementing Act”, and the Mi’kmaq Nation Restoration Act to adopt most of federal Indian law related to the criminal jurisdiction of tribal courts, including the Indian Civil Rights Act of 1968, the Tribal Law and Order Act of 2010 and the tribal jurisdiction provisions of the Violence Against Women Act Reauthorization Act of 2022. It expands the criminal jurisdiction of the Passamaquoddy Tribal Court, the Penobscot Nation Tribal Court and the Houlton Band of Maliseet Indians Tribal Court as well as the potential criminal jurisdiction of the Mi’kmaq Nation Tribal Court, collectively referred to in this summary as “the tribal courts of the Wabanaki Nations” in the following ways.

1. It recognizes the exclusive jurisdiction of the tribal courts of the Wabanaki Nations over Class C, D and E crimes committed within the relevant Wabanaki Nation’s respective Indian territory or jurisdiction land by an adult member of a federally recognized Indian tribe if those crimes: