

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

131ST LEGISLATURE
SECOND REGULAR SESSION



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.

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2. All such digital forms, applications and other documents must be updated in the regular course of updating such forms to add an option to designate “X” for gender unless the designation of a person’s gender is not necessary for the purposes of the form, in which case the question must be removed from the form.

LD 2236 An Act to Expand the List of Crimes Eligible for a Post-judgment Motion to Seal Criminal History Record Information to Include Convictions for Possession and Cultivation of Marijuana

ENACTED LAW SUMMARY

Public Law 2023, chapter 639 changes the definition of “eligible criminal conviction” in the Maine Revised Statutes, Title 15, section 2261, subsection 6, which identifies the crimes for which an individual may file a post-judgment motion to seal criminal history record information related to a conviction for that crime, to include crimes committed prior to January 30, 2017 that are no longer considered illegal under Maine’s adult use cannabis laws.

LD 2238 An Act to Address Gun Violence in Maine by Requiring a Waiting Period for Certain Firearm Purchases

ENACTED LAW SUMMARY

Public Law 2023, chapter 678 requires a 72-hour waiting period between an agreement for the purchase and sale of a firearm and the delivery of that firearm to the purchaser. This waiting period must be concurrent with any waiting period imposed by any background check process required by federal or state law. The waiting period does not apply to the sale of a firearm to a law enforcement or corrections officer; to a person employed by certain security companies or licensed as a security guard; to a family member as defined in the law; to a federally licensed firearm dealer; if a background check is not required under federal or state law; if the firearm is an antique firearm; or if the firearm is a curio or relic and the sale, transfer or exchange is between collectors of firearms as curios or relics who each have in their possession a valid collector of curios and relics license issued by the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives.

LD 2250 An Act to Allow the Department of Corrections and County Jails to Comply with the Federal Prison Rape Elimination Act of 2003

ENACTED LAW SUMMARY

Public Law 2023, chapter 615 amends the confidentiality laws related to state and county employee personnel records to allow an alleged victim of sexual misconduct or sexual harassment within a

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correctional facility, county jail or detention facility to receive the following information, unless the allegation has been determined to be unfounded:

1. Whether the alleged perpetrator remains employed at the facility and remains assigned to the same work location where the sexual misconduct or sexual harassment allegedly occurred; and
2. Whether the alleged perpetrator has or has not been criminally charged, including by indictment, or has been convicted of a crime arising out of the allegation of sexual misconduct or sexual harassment.

These amendments to the confidentiality laws are designed in part to ensure that the State's Department of Corrections and county jail and detention facilities comply with the requirements established by the United States Department of Justice under 28 Code of Federal Regulations, Section 115.73 pursuant to the federal Prison Rape Elimination Act of 2003.

Public Law 2023, chapter 615 was enacted as an emergency measure effective April 11, 2024.

LD 2290 An Act to Correct Inconsistencies, Conflicts and Errors in the Laws of Maine

ENACTED LAW SUMMARY

Public Law 2023, chapter 646 corrects technical inconsistencies, conflicts and errors in the laws of Maine. It also clarifies the intent of the Legislature that the exception to the hearsay rule for recordings of forensic interviews in the Maine Revised Statutes, Title 16, section 358, which was enacted by Public Law 2023, chapter 193, applies to proceedings pending on the date that the law was enacted and to proceedings initiated after that date, regardless of when the conduct described in the forensic interview allegedly occurred.

Public Law 2023, chapter 646 was enacted as an emergency measure effective April 22, 2024.