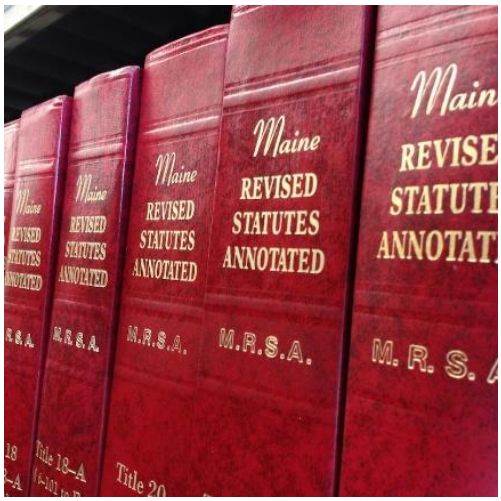
131st Maine Legislature – First Regular Session & First Special Session

2023 NEW LAW UPDATE

New and Amended Statutes Relevant to Law Enforcement Officers

First Regular Session – Effective June 29, 2023
First Special Session - Effective October 25, 2023
(Unless otherwise indicated)



DIRIGO SAFETY, LLC

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Preparer's Note

This New Law Update contains summaries of selected public laws of interest and relevance to most Maine law enforcement officers. The Update includes the new or amended statutory citations as well as links to the chaptered laws and the LDs that started it all. It is strongly recommended that the entire text of the chaptered law be examined for a more comprehensive understanding, particularly before taking any enforcement action.

As you know, there are diverse types of law enforcement officers in Maine. To keep the length of this document manageable, new or amended laws that may be of interest to only those officers who focus on specialized enforcement are not included.

The summaries are those of the preparer and do not represent the legal opinions or advice of Dirigo Safety, LLC.

131st Maine Legislature

Link to LDs
https://legislature.maine.gov/bills/billdirectory_ps.asp?snum=131&ldFrom=1

1st Regular Session
Link to Chaptered Laws
https://legislature.maine.gov/ros/LawsOfMaine/#Law/131/R1/ACTPUB/20

1st Special Session
Link to Chaptered Laws
https://legislature.maine.gov/ros/LawsOfMaine/#Law/131/S1/ACTPUB/81

Questions, suggestions, or other comments?

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Chapter 20 – LD 362- (Effective June 29, 2023)

An Act to Clarify Coverage for Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Under the State Employer Group Health Plan

This law clarifies that a retired county or municipal law enforcement officer or retired municipal firefighter is eligible to enroll in the group health plan offered to state employees if the officer or firefighter meets the requirements for the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program.

Enacts 5 MRSA §285, sub-§1, ¶M *Amends 5 MRSA §285, sub-§1-B*

Chapter 27 – LD 552

An Act Regarding the Definition of "Reportable Accident"

This law changes the threshold amount of apparent property damage after which an accident must be reported from $1,000 to $2,000.

Amends 29-A MRSA §§2251, sub-§1

Chapter 36 – LD 35

An Act to Establish Adult Protective Services Training Requirements for Professionals Mandated to Report Suspected Abuse, Neglect or Exploitation to Enhance Protection of Incapacitated and Dependent Adults

This law requires professionals mandated to make reports of abuse, neglect, and exploitation of incapacitated and dependent adults under the Adult Protective Services Act to complete training on mandated reporter responsibilities once every four years. (Among mandated reporters are law enforcement officials, corrections officers, or any other persons holding a Maine Criminal Justice Academy certification.

Enacts 22 MRSA §3477, sub-§8

Chapter 55 – LD 23

An Act to Limit Public Access to or Dissemination of Electronic Citation and Electronic Warning Information

This law declares as confidential personally identifying information from VSACs that is contained in the State Police electronic citation database or the electronic warning database, except that such database information may be shared with another criminal justice agency. "Personally identifying information" means an individual's name, residential and post office mailing addresses, date of birth and driver's license number, vehicle registration plate number, and any other information contained in a data field that may be used to identify a person.

Enacts 29-A MRSA §2601, sub-§3-A

Note: This law applies only to the database; it does not affect the public nature of the information on an individual VSAC.

Chapter 68 – LD 528

An Act to Improve Road Safety for Waste and Recycling Collection Employees

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Current law – "slow down, move over" – requires persons attempting to pass vehicles used to assist members of the public or law enforcement officers with disabled vehicles or to remove debris from a roadway, including wreckers, or vehicles used to construct, maintain, inspect or repair utility infrastructure to do so in a nonadjacent lane when possible or at a careful and prudent speed if the vehicles are using their authorized lights. This law adds similar requirements for persons attempting to pass business vehicles used to transport refuse, garbage, compost, recycling, or trash. The law also clarifies that such business vehicles may have auxiliary lights emitting a flashing amber light.

29-A MRSA §2054, sub-§1, ¶I-1 *29-A MRSA §2054, sub-§2, ¶C*

Chapter 71 – LD 600
An Act to Expand Availability of Naloxone Hydrochloride
This law allows an overdose prevention program, with the express consent of a municipality, to provide and maintain naloxone hydrochloride in a visible and publicly accessible wall-mounted box or other container in municipal places to be used by a member of the public in response to an opioid-related drug overdose. The law also provides immunity from criminal and civil liability to municipalities and overdose prevention programs for providing or maintaining naloxone hydrochloride containers.

22 MRSA §2353, sub-§4, ¶C *22 MRSA §2353, sub-§5, ¶C*

Chapter 75 – LD 1034
An Act to Require That Service of a Temporary Protection Order Be Attempted Within 48 Hours from the Issuance of the Order
This law requires a law enforcement agency to include in its written policy on the service of protection from abuse orders that the service of a temporary, emergency, or interim protection from abuse order be attempted within 48 hours after the agency receives notice of that order from the court. Service of an order that is not in compliance with a policy adopted under this subsection does not affect the validity of the service or the order.

Amends 19-A MRSA §4114, sub-§1

Chapter 84 – LD 96
An Act to Ensure Release of Relevant Background Investigation Material to Current Employers of Law Enforcement and Corrections Officers
A previous statute enacted by the 130th Legislature (P.L. 2021, ch. 256) provided that when a law enforcement officer or corrections officer who is employed by a law enforcement agency, correctional facility, or county or regional jail, or who was employed within 90 days before making an employment application, applies for a new position with a law enforcement agency, correctional facility, or county or regional jail, the applicant is required to sign a release waiving the applicant's rights to privacy in the exchange of information resulting from a polygraph examination conducted for the employment application, and permitted the hiring agency to share certain examination results with the current employer. This new law makes it clear that the sharing of information includes certain results of both a background investigation and a polygraph examination. Specifically, when the results of a background investigation or polygraph examination

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indicate probable cause to believe that the officer is or has been involved in criminal activity, the hiring agency shall release the results of the investigation or examination to the agency that employs the officer. The hiring agency is immune from civil or criminal liability for sharing the information. The MCJA Board of Trustees is responsible for establishing a standard request and waiver form.

Amends 25 MRSA §2805-B, sub-§4, ¶B *Amends 25 MRSA §2805-B, sub-§5*

Chapter 107 – LD 522
An Act to Require That Motor Vehicles Be Clear of Snow and Ice
This law requires the operator of a vehicle with a registered weight under 10,000 pounds to take reasonable measures to prevent snow or ice from falling off the vehicle while it is being operated on a public way and, provides for a fine of not more than $50 for a first offense and of not less than $150 and not more than $250 for each subsequent offense. This law also adds snow and ice to the definition of "load" in the provisions of the law governing unsecured loads.

Enacts 29-A MRSA §2093 *Amends 29-A MRSA §2396, sub-§2*

Chapter 122 – LD 980
An Act Regarding Passing Stationary Motor Vehicles on Public Ways
This law requires an operator of a vehicle passing a stationary vehicle that a reasonable person would conclude is disabled or that is using flashing lights to pass in a nonadjacent lane or at a careful and prudent speed. The fine for this traffic infraction is not less than $275.

Enacts 29-A MRSA §2070, sub-§8

Chapter 131 – LD 1296
An Act to Allow Firefighters to Have Increased Lighting on Their Personal Vehicles
Currently, state law allows active members of a municipal or volunteer fire department to place one red light bar no more than eight inches in length on the roof of their vehicles. This law changes the length of the red light bar from no more than 12 inches.

Amends 29-A MRSA §2054, sub-§2, ¶F

Chapter 146 – LD 474
An Act to Improve Collaboration Between Mandatory Reporters and Law Enforcement in the Investigation of Alleged Child Abuse and Neglect
This law requires that a medical institution, agency or facility, or the designated agent who made a mandated report to DHHS disclose the same information to a law enforcement officer upon request of the officer. The law provides immunity for a person who reported suspected abuse or neglect and is participating in good faith in a law enforcement investigation or criminal justice proceeding relating to suspected abuse or neglect.

Enacts 22 MRSA §4011-A, sub-§2-A *Amends 22 MRSA §4014, sub-§1*

Chapter 153 – LD 1036 (Effective January 1, 2024)
An Act to Require All Uniformed Patrol Officers to Carry Naloxone Hydrochloride

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This law mandates that a uniformed patrol officer must always carry naloxone hydrochloride when on duty, obtain medical training in accordance with protocols adopted by the Medical Direction and Practices Board, and administer or dispense intranasal naloxone hydrochloride as clinically indicated.

Amends 22 MRSA §2353, sub-§3 *Enacts 22 MRSA §2353, sub-§3-A*

Chapter 154 – LD 1052
An Act to Expand Good Samaritan Protections for Naloxone Hydrochloride Administration
This law extends immunity from civil or criminal liability or professional disciplinary action to any person – not just a healthcare professional or pharmacist – who provides or administers naloxone hydrochloride to an individual whom the person believes in good faith is experiencing an opioid-related drug overdose.

Amends 22 MRSA §2353, sub-§5, ¶B *Enacts 22 MRSA §2353, sub-§5, ¶D*

Chapter 155 – LD 1208
An Act to Implement the Recommendations of the Right to Know Advisory Committee Concerning Time Estimates for Responding to Public Records Requests
This law allows an agency responding to an FOAA request to charge the requester for the actual cost of a device used to store the public record if the storage device will be given to the requester by the agency. The law also clarifies the requirement to provide the requester with an estimate of the time and cost to process the request. Finally, the law provides that if the estimated cost is greater than $50 (formerly $30), the agency shall inform the requester before proceeding with the request.

Amends 1 MRSA §408-A, sub-§3 *Amends 1 MRSA §408-A, sub-§9*
Amends 1 MRSA §408-A, sub-§8, ¶C

Chapter 159 – LD 1397
An Act to Implement the Recommendations of the Right to Know Advisory Committee Concerning Records of Disciplinary Actions Against Public Employees
This law amends the statutes governing state and county employee personnel records to require that a final written decision imposing discipline on a state or county employee must state the conduct or other facts on the basis of which disciplinary action is being imposed and the conclusions of the state or county employer as to the reasons for that action. Similar language is already included in the statute governing municipal employee personnel records.

Amends 5 MRSA §7070, sub-§2, ¶E *Amends 30-A MRSA §503, sub-§1, ¶B*

Chapter 161 – LD 1728
An Act to Ensure Access to Approved Opioid Overdose-reversing Medication
This law adds other opioid overdose-reversing medications to statutes governing naloxone hydrochloride, including section 1111-B of the Criminal Code that provides immunity from arrest, prosecution, and revocation and termination proceedings for certain persons under certain

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conditions, including "rendering aid" in administering naloxone hydrochloride or another opioid overdose-reversing medication approved by the federal Food and Drug Administration."

Amends 17-A MRSA §1111-B, sub-§1, ¶C

Chapter 178 – LD 864
An Act to Clarify Provisions of the Maine Good Samaritan Law
This law amends the list of "excluded crimes" in the Good Samaritan Law, i.e., crimes that do not qualify for immunity from arrest, prosecution, and revocation and termination proceedings, to include any violation of Endangering the Welfare of a Child (17-A M.R.S. § 554), not just the part of the statute that prohibits permitting a child to enter or remain in a house of prostitution.

Amends 17-A MRSA §1111-B, sub-§1, ¶A

Chapter 193 – LD 765
An Act to Establish an Exception to the Hearsay Rule for Forensic Interviews
This law establishes an exception to the hearsay rule under Rule 802 of the Maine Rules of Evidence for recording a forensic interview of a "protected person." A "protected person" is a person who has not attained 18 years of age or is an adult eligible for protective services under the Adult Protective Services Act. The law requires that certain criteria be met before the forensic interview may be admitted into evidence at trial, including the requirement in a criminal matter that the protected person is available to testify or be cross-examined unless all parties expressly waive the requirement that the person testify.

Enacts 16 MRSA §358
Amends 22 MRSA §4019, sub-§1, ¶B
Amends 22 MRSA §4019, sub-§1, ¶D
Amends 22 MRSA §4019, sub-§9
Enacts 22 MRSA §4019, sub-§9-A

Chapter 199 – LD 1362
An Act to Ensure the Rights of Survivors of Sexual Assault
This law provides that a sexual assault survivor has the right to consult with a sexual assault counselor during a sexual assault forensic examination and to have a sexual assault counselor present during any interview by a law enforcement officer, prosecutor, defense attorney, or professional investigator. The law also provides that evidence gathered during a sexual assault forensic examination may not be used to prosecute the survivor for a Class D or Class E drug offense, criminal OUI, any crime of violating a condition of release, any crime of engaging in prostitution, any violation of liquor laws, or any juvenile crime based on a violation of the foregoing laws. The evidence gathered during a sexual assault forensic examination also may not be used as the basis of a motion to revoke any conditional release of the survivor or as a basis to search for further evidence that a sexual assault survivor committed any of these crimes or offenses.

Enacts 15 MRSA c. 521

Chapter 227 – LD 115
An Act to Protect Minors from Exploitation by Adults for Violation of Privacy
This law separates the offense of violation of privacy (17-A M.R.S. § 511). Violation of privacy against individuals under the age of 16 now has a separate paragraph. The law also

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separates violation of privacy against someone under the age of 16 for the specific purpose of arousal or sexual gratification into another separate paragraph. Violation of privacy against someone under the age of 16 for the specific purpose of arousal or sexual gratification also is now a Tier I offense under the Sex Offender Registration and Notification Act of 2013.

Amends 17-A MRSA §511, sub-§1, ¶C
Amends 17-A MRSA §511, sub-§1, ¶D
Enacts 17-A MRSA §511, sub-§1, ¶E
Enacts 17-A MRSA §511, sub-§1, ¶F
Enacts 34-A MRSA §11273, sub-§14, ¶C-1

Chapter 235 – LD 1438
An Act to Require Standard Procedures to Protect Stalking Victims and Access to Certain Criminal Complaints
This law creates a right that entitles a person who files a complaint with a criminal justice agency to receive one copy of that report at no charge. The law also states an agency may not charge a fee for providing information to a crime victim or that victim's agent or attorney. Finally, the law requires law enforcement agencies to include in their DV policies a provision that establishes a process to ensure that, when a person files multiple, separate complaints regarding the behavior of another person that may indicate a course of conduct constituting stalking, those complaints are reviewed together to determine if the other person has engaged in stalking.

Amends 16 MRSA §804, first ¶,
Repeals 16 MRSA §805 and enacts in its place 16 MRSA §805-A
Amends 16 MRSA §806, sub-§2
Amends 19-A MRSA §4116, sub-§2, ¶A
Amends 25 MRSA §2803-B, sub-§1, ¶D
Amends 29-A MRSA §2251, sub-§7-A, ¶B

Chapter 236 – LD 1632
An Act to Require Proper Storage of Forensic Exam Evidence
This law directs a law enforcement agency to collect and transport anonymously collected forensic evidence from sexual assault and strangulation exams. The law changes the required time that a law enforcement agency must store a forensic examination kit involving sexual assault from eight years to 20 years and requires the storage of a forensic examination kit involving only strangulation for six years.

Amends 25 MRSA §3821

Chapter 242 – LD 229
An Act to Compensate Tribal Governments for Basic Training for a Law Enforcement Officer Hired by Another Government Agency
This law includes tribal governments whose officers are trained at the Indian police academy at the federal law enforcement training center in the laws that provide for reimbursement whenever a full-time officer trained at a police academy at the expense of a particular governmental entity is subsequently hired by another governmental entity as a full-time officer within five years of graduation from the academy.

Amends 25 MRSA §2808

Chapter 280 – LD 1657

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An Act to Define "Consent" and Amend the Law Governing Certain Sexual Offenses

This *law* changes the terms "expressly or impliedly acquiesced" and "acquiesced" to "consented" in the elements of the criminal offenses of gross sexual assault, unlawful sexual contact, and unlawful sexual touching, and provides a definition of consent for these offenses as "a word or action by a person that indicates a freely given agreement."

Enacts 17-A MRSA §251, sub-§1, ¶E-1
Amends 17-A MRSA §253, sub-§2, ¶M
Amends 17-A MRSA §255-A, sub-§1, ¶A
Amends 17-A MRSA §255-A, sub-§1, ¶B
Amends 17-A MRSA §260, sub-§1, ¶A

Chapter 287 – LD 868

An Act to Extend the Protections of the Maine Civil Rights Act to Actions That Cause Emotional Distress or Fear of Violence

This adds to the Maine Civil Rights Act a prohibition of intentionally interfering or attempting to intentionally interfere with another person's exercise or enjoyment of that other person's civil rights by engaging in any conduct that would cause a reasonable person to suffer emotional distress or to fear violence to that person or a close relation. The definitions of "emotional stress" and "close relation" are as defined in the stalking statute in the Criminal Code (17-A M.R.S. § 210-A).

Amends 5 MRSA §4681, sub-§1
Amends 5 MRSA §4682, sub-§1-A
Amends 5 MRSA §4684-A

Chapter 299 – LD 1311

An Act Regarding the Legal Use or Possession of Cannabis or Marijuana Under Conditions of Bail, Pretrial Release, or Probation

This law adds the use or excessive use of cannabis to the provisions of the law regarding conditions of preconviction bail, conditional release, and probation to match those regarding the use or excessive use of alcohol.

Amends 15 MRSA §1023, sub-§4, ¶G
Amends 15 MRSA §1026, sub-§3, ¶A:
Amends 17-A MRSA §1807, sub-§2, ¶I

Chapter 301 – LD 686

An Act to Enhance Safety for Animal-drawn Vehicles on Highways

This law requires that an animal-drawn vehicle operated on a public way be equipped with reflective tape or a slow-moving vehicle emblem, in addition to the current law that requires in the nighttime an oil lantern or electric lights attached to the left side of the vehicle that displays a red light toward the rear of the vehicle and a white light toward the front of the vehicle.

Amends 29-A MRSA §1909-C

Chapter 302 – LD 598

An Act to Require a Vehicle Operator to Notify an Owner or Law Enforcement Officer of an Accident Involving a Dog, a Cat, or Livestock

This law clarifies that the law governing accidents involving property damage that property includes dogs, cats, and livestock. It adds a requirement that when the property damaged

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is a dog, a cat, or livestock and the property owner cannot be located, the operator must take reasonable steps to immediately report the incident to a law enforcement officer or animal control officer.

Amends 29-A MRSA §2255, sub-§1 *Amends 29-A MRSA §2255, sub-§2*

Chapter 305 – LD 22
An Act to Impede the Transfer of Firearms to Prohibited Persons
This law provides that a person who knowingly or intentionally sells or transfers a firearm to a person who is prohibited from owning, possessing, or having under that person's control a firearm commits a Class D crime. This prohibition does not apply to the sale or transfer of an antique firearm.

Enacts 15 MRSA §394

Chapter 312 – LD 819
An Act to Reduce the Penalty for Operating a Motor Vehicle Under a Suspended License in Certain Situations
Current law provides that operating after suspension is a traffic infraction if the sole basis for the suspension is for failure to pay a fine, failure to pay a license reinstatement fee, or for a dishonored check. This law provides the same status for failure to provide proof of insurance, failure to pay child support, failure to appear in court, and failure to submit to a medical examination or provide medical information requested by the Secretary of State.

Amends 29-A MRSA §2412-A, sub-§8

Chapter 316 – LD 1435
An Act to Reduce Commercial Sexual Exploitation
This law decriminalizes the sale of sex but retains the crime of buying sex. It changes statutory references to "prostitution" to terms associated with "commercial sexual exploitation." It elevates the Class D crime of solicitation of a child for commercial sexual exploitation (formerly prostitution) to a Class C crime. Finally, it establishes certain defenses to prosecution for criminal conspiracy and sex trafficking.

Amends 5 MRSA §3360-I, first ¶
Enacts 17-A MRSA §151, sub-§10
Amends 17-A MRSA §259-B
Amends 17-A MRSA §851, sub-§1
Amends 17-A MRSA §851, sub-§1-A
Amends 17-A MRSA §853, sub-§1, ¶B
Enacts 17-A MRSA §853, sub-§4
Repeals 17-A MRSA §853-A
Amends 17-A MRSA §853-B
Amends 17-A MRSA §855
Amends 17-A MRSA §1111-B, sub-§1, ¶A
Amends 17-A MRSA §1604, sub-§5, ¶B
Repeals 17-A MRSA §1902, sub-§6
Amends 18-C MRSA §9-401, sub-§4, ¶F

Chapter 334 – LD 456
An Act to Support the Safe Use of Bicycles and Roller Skis
This law prohibits a person operating a motor vehicle on a two-way road near a person operating a bicycle or roller skis in the opposite direction from making a left turn unless the turn can be made with reasonable safety and without interfering with the safe legal operation of the bicycle or roller skis. It clarifies that a vehicle operator must not only yield

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the right-of-way to oncoming traffic but to persons operating a bicycle or roller skis, as well.

Amends 29-A MRSA §2060, sub-§2 *Enacts 29-A MRSA §2060, sub-§2-A*

Chapter 340 – LD 376 (Effective June 28, 2023)
An Act to Facilitate Communication Between *Pro Se* Defendants and Prosecutors While Protecting the Rights of Those Defendants

Under this change in law, a prosecutor may communicate with an unrepresented defendant to (1) offer the defendant the opportunity to participate in a diversion program or explain steps the defendant can take that would result in not prosecuting the charge or charges against the defendant or that would result in the prosecutor recommending dismissal or filing of the charge or charges; (2) notify the defendant that a pending criminal matter is being dismissed; (3) notify the defendant in writing of a plea offer; and (4) request the defendant's position on a motion to continue or a motion to correct a typographical error in a document filed with the court. The law also provides that a prosecutor may communicate with an unrepresented defendant if the communication is initiated by the defendant or during a dispositional conference

Amends 15 MRSA §815, sub-§1, ¶C *Amends 15 MRSA §815, sub-§2*
Enacts 15 MRSA §815, sub-§1, ¶D

Chapter 362 – LD 429
An Act to Reclassify Certain Offenses Under the Motor Vehicle Laws and Increase the Efficiency of the Criminal Justice System (Effective January 1, 2024)

This law decriminalizes the current Class E crime of failing to return to the Secretary of State every license, registration certificate, and registration plate when a person's license or registration is suspended to a traffic infraction. Likewise, the Class E crime of removing a towed vehicle or any part or accessory from the vehicle without the consent of the person in charge of the premises where the vehicle is located is changed to a traffic infraction. Finally, it clarifies the authority of a law enforcement officer to tow vehicles upon the issuance of a VSAC for operating after suspension, operating an unregistered vehicle, or operating a vehicle displaying false plates.

Amends 29-A MRSA §1603, sub-§9 *Amends 29-A MRSA §2069, sub-§3, ¶B*
Amends 29-A MRSA §1859

Chapter 364 – LD 575
An Act Regarding a Seat Belt Exemption for Persons with a Medical Condition (Effective January 1, 2024)

This law allows a physician to designate the duration of the applicant's medical condition to allow an exemption from the seat belt requirements for adult drivers and passengers for a period not to exceed six years (currently one year).

Amends 29-A MRSA §2081, sub-§4, ¶A-1

Chapter 368 – LD 1613
An Act to Prohibit Profiling and to Strengthen Civil Rights in Maine

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This law requires law enforcement agencies to select, assign and train civil rights officers and to keep the Attorney General informed of the identity of the civil rights officer. It requires law enforcement agencies to make contact information for their civil rights officers publicly available.

The law also prohibits profiling by law enforcement. Profiling is considering or relying, to any degree, on a person's actual or perceived race, color, sex, sexual orientation, gender identity, physical or mental disability, religion, ancestry or national origin, age, or familial status in deciding whether to subject that person to a traffic or pedestrian stop and in deciding on the scope or substance of law enforcement activities following such a stop. "Profiling" does not mean consideration or reliance on characteristics provided in a specific suspect description. "Activities following a traffic or pedestrian stop" include, but are not limited to, asking questions of a person, frisking a person, conducting consensual and nonconsensual searches of a person or property, seizing property, requiring vehicle occupants to exit a vehicle during a traffic stop, issuing a citation and making an arrest.

The law also provides that violations by law enforcement are not enforceable under the Maine Civil Rights Act but may form the basis for disciplinary proceedings by the Board of Trustees of the Maine Criminal Justice Academy.

Finally, the law changes from January 1, 2023, to January 1, 2024, the date by which the Attorney General must adopt rules for the recording, retention, and reporting of information regarding persons stopped for traffic infractions. It also changes from July 1, 2023, to July 1, 2024, the date on which law enforcement agencies are required to begin recording, retaining, and reporting specific information regarding traffic infractions in accordance with those rules.

Enacts 5 MRSA §4684-C
Amends 5 MRSA c. 337-D
Enacts 5 MRSA §4751, sub-§3
Enacts 5 MRSA §4755
Amends 5 MRSA §4752, sub-§1
Amends 5 MRSA §4753, sub-§1
Amends 5 MRSA §4754

Chapter 381 – LD 1103
An Act to Allow Persons Who Lawfully Use or Possess Cannabis to Own or Possess Firearms or Ammunition
This law exempts persons who use or possess cannabis under the Maine Medical Use of Cannabis Act or the Cannabis Legalization Act from the prohibition on the possession of a firearm.

Amends 15 MRSA §393, sub-§1, ¶G

Chapter 430 – LD 405
An Act Regarding False Public Alarms or Reports and Aggravated False Public Alarms or Reports
This law adds emergency communications centers to the list of organizations that may receive false information during the commission of the crimes of false public alarm or report and aggravated false public alarm or report. It defines "emergency communications center" to mean a state, county, or municipal government entity that receives calls by 9-1-1, business lines, radio, or other methods requesting public service or emergency response

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from public safety agencies and, as appropriate, dispatches requests to public safety agencies and assists in coordinating the response between agencies and other specialized professionals. A person is guilty of aggravated false public alarm or report (Class C crime) if the person violates if a false public alarm or report causes the evacuation, shut down, or lockdown of a building, school, public square or park, place of assembly, or public transportation facility.

Amends 17-A MRSA §509 *Amends 17-A MRSA §509*

Chapter 433 – LD 439
An Act to Allow Suicide to Be Considered a Death While in the Line of Duty
This law requires the applicable authority, when determining whether a law enforcement officer, firefighter, emergency medical services person, Department of Corrections law enforcement officer or corrections officer has died while in the line of duty, to evaluate whether an individual who died by suicide has died as a result of events or actions experienced by the individual while in the line of duty. It also gives the Commissioner of Corrections, rather than the Chief of the State Police, the authority to make that determination for Department of Corrections law enforcement officers. It also makes several related technical changes to the laws governing death benefits for law enforcement officers, firefighters, emergency medical services persons, Department of Corrections law enforcement officers, and corrections officers who die in the line of duty.

Amends 25 MRSA c. 195-A
Enacts 25 MRSA §1611, sub-§1-C
Amends 25 MRSA §1611, sub-§1-C
Amends 25 MRSA §1612, sub-§1
Amends 25 MRSA §1612, sub-§2, ¶B
Amends 25 MRSA §1612, sub-§2, ¶D
Amends 25 MRSA §1612, sub-§4

Chapter 443 – LD 756
An Act to Limit Changes to the Resource Coordination Agreement Between the Bureau of State Police and the Penobscot County Sheriff's Department and Require Annual Reporting Regarding Resource Coordination Agreements
This law prohibits any changes before December 1, 2024, to a resource coordination agreement between the State Police and the Penobscot County Sheriff's Department that was in effect on May 1, 2023, unless mutually agreed upon by the State Police and the Sheriff's Department. The law also requires an annual report from the State Police to the Legislature regarding resource coordination agreements between the State Police and county sheriffs' departments, including where those agreements are in place, a summary of the agreements, any changes to those agreements in the prior calendar year, and a summary of the services provided by the State Police throughout the State.

Enacts 25 MRSA §1511

Chapter 445 – LD 1123
An Act to Create a Presumption Under the Workers' Compensation Act of 1992 that a Cardiovascular Injury or Disease or Pulmonary Disease Suffered by Certain Law Enforcement Officers is in the Course of Employment

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This law establishes a rebuttable presumption that a law enforcement officer's cardiovascular injury or disease or pulmonary disease arose out of and in the course of employment under the Workers' Compensation Act of 1992.

Enacts 39-A MRSA §328-D

Chapter 455 – LD 1119
An Act to Clarify the Criminal Statutes Regarding Assaults on Emergency Medical Services Persons

Under current law, a person is guilty of a Class C crime if that person intentionally, knowingly, or recklessly causes bodily injury to an emergency medical care provider while the provider is providing emergency care. This amendment to the law specifies that it is a Class C crime if the bodily injury is to a person licensed under the Maine Emergency Medical Services Act of 1982, regardless of the location where the emergency medical care is provided, or a person employed or contracted by a hospital and the injury occurs in the hospital's designated emergency room.

Amends 17-A MRSA §752-C
Enacts 17-A MRSA §752-F
Amends 17-A MRSA §1604, sub-§5, ¶B
Amends 22 MRSA §832-A, sub-§1, ¶C

Chapter 465 – LD 1461
An Act to Prevent Dating Partner Abuse by Including Dating Partners in the Scope of Domestic Violence Crimes

This law amends the Maine Criminal Code by including dating partners within the scope of domestic violence crimes, consistent with the protection from abuse laws. "Dating partners" is defined in Title 19-A, section 4102, subsection 4 as individuals currently or formerly involved in dating each other, whether or not the individuals are or were sexual partners.

Amends 17-A MRSA §15, sub-§1, ¶A
Amends 17-A MRSA §207-A, sub-§1, ¶A, as amended by PL 2021, c. 647,
Amends 17-A MRSA §207-A, sub-§1, ¶B
Amends 17-A MRSA §208-D, sub-§1
Amends 17-A MRSA §208-E, sub-§1, ¶B
Amends 17-A MRSA §208-F, sub-§1, ¶B
Amends 17-A MRSA §209-A, sub-§1, ¶A
Amends 17-A MRSA §209-A, sub-§1, ¶B
Amends 17-A MRSA §210-B, sub-§1, ¶A
Amends 17-A MRSA §210-B, sub-§1, ¶B
Amends 17-A MRSA §210-C, sub-§1, ¶A
Amends 17-A MRSA §210-C, sub-§1, ¶B
Amends 17-A MRSA §211-A, sub-§1, ¶A
Amends 17-A MRSA §211-A, sub-§1, ¶B
Amends 17-A MRSA §1603, sub-§2, ¶C
Amends 17-A MRSA §1804, sub-§3
Amends 17-A MRSA §1804, sub-§6.
Amends 17-A MRSA §2107
Enacts 17-A MRSA §2301, sub-§1-A
Amends 17-A MRSA §2307, sub-§1, ¶F
Amends 17-A MRSA §2308, sub-§1, ¶F

Chapter 475 – LD 1790
An Act Removing the Statute of Limitations on Civil Actions and Criminal Prosecutions for Certain Sexual Offenses Against Minors

This law 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, gross sexual assault, unlawful sexual touching, or sexual exploitation of a minor. Under 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 before the effective date of the legislation. It

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also 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 legislation or if the prosecution has not yet been barred by the criminal statute of limitations in force immediately before the effective date of this law.

Amends 14 MRSA §752-C, sub-§2 *Amends 17-A MRSA §8, sub-§1, ¶B*

RESOLVES

Resolve Chapter 37 – LD 847
Resolve, to Study the Implementation of a Program to Provide Trauma-informed Training for Law Enforcement Officers at the Maine Criminal Justice Academy
This resolve directs the Board of Trustees of the Maine Criminal Justice Academy to conduct a study and develop recommendations based on findings from the study regarding the implementation at the academy of a program to provide trauma-informed training for law enforcement officers. No later than February 15, 2024, the Board must submit a report containing the findings and recommendations of its study, including any proposed legislation, to the Joint Standing Committee on Criminal Justice and Public Safety. After reviewing the report, the committee may propose legislation relating to the report.

Resolve Chapter 70 – LD 1484
Resolve, Regarding the Status of Federal Grant Applications or Money Secured for the Funding of a Sexual Assault Kit Tracking Pilot Program
This resolve directs the Department of Public Safety to report to the Joint Standing Committee on Criminal Justice and Public Safety by February 1, 2024, on the status of any federal grant applications or money secured by the department to fund a sexual assault kit tracking pilot program. The resolve also authorizes the committee to propose a bill relating to a sexual assault kit tracking pilot program.

Resolve Chapter 103 – LD 1622
Resolve, to Reestablish the Criminal Records Review Committee
This resolve reestablishes the Criminal Records Review Committee to review options for expunging and sealing criminal records. The committee must submit an interim report by December 6, 2023, and a final report by November 6, 2024. The committee consists of 28 members with an additional member from the Judicial Branch at the option of the Chief Justice of the Supreme Judicial Court.

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