

An oil painting of a forest path. The path is a light brown color, winding through a dense forest of green trees. The brushstrokes are visible, giving the painting a textured, expressive feel. The background shows a glimpse of a blue sky and a body of water in the distance.

**mecasa**  
MAINE COALITION AGAINST  
SEXUAL ASSAULT

**MECASA**  
**2024**  
**Legislative**  
**Report**

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**131st Legislature**  
**Second Regular Session**

# 2024 Legislative Session

Dear Policy Partners,

The second session of the 131<sup>st</sup> Maine Legislature was busy for MECASA’s Policy Team. While these sessions are traditionally shorter and include fewer new bills, several priority bills impacting sexual assault services were “carried over” from the first session, necessitating a continued focus and pressure on law makers to act. State and federal court decisions also required our immediate attention in the form of “emergency” bills – and our team worked quickly to draft legislation, get sponsors and supporters on board, and rally our allies so that survivors could continue to receive the support they need and have the legal options they deserve to find safety and healing.

Because of our work and the work of our partners, this year:

- Maine’s stalking laws are aligned with the findings from the recent Supreme Court *Counterman* decision – protecting survivors’ abilities to seek justice and safety after experiencing stalking;
- The huge and looming gap in VOCA funds has been covered for the next fiscal year, sustaining the vital services that victims of violent crimes count on in Maine;
- Survivors in Title IX proceedings or workplace discrimination suits are protected against retaliatory lawsuits aimed at keeping them silent; and
- Victims of child sexual abuse can still have their forensic interviews accepted as evidence regardless of when the abuse occurred and when the case was filed.

These are huge wins that will give survivors more choices, clearer paths to justice, and sustained services in the next year. But there were huge disappointments this year as well. Our bill to raise advocates wages from their current low of \$33,500 per year and support culturally specific services in communities died without the funding to implement it. A survivor-led bill to expand the protections available in Protection from Abuse orders was stymied by a lack of funding. A bill that directed the Department of Public Safety to establish, operate and maintain a comprehensive sexual assault forensic examination kit tracking system that would have provided event information for victims, both



*Governor Mills signs LD 2085 into law*

those who choose to report to a law enforcement agency and those who choose not to report, and other approved users regarding the processing, custody, analysis and destruction of evidence also went unfunded. And while we protected VOCA-funded services for fiscal year 2025, we did not receive the ongoing funding necessary to keep those services whole in years to come.

We know that the cultural change and political will that we need takes time to build – even as we feel the frustration of months of our work failing to see the wins that survivors and advocates desperately need. But we are already back at work, planning for the next legislative session and for the years to come. We have not conceded these fights, because we know that by working to build consensus and coalition with our allies inside and outside of the State House, we will prevail.

We hope you will join us as we continue to work towards a future that centers survivors, lifts up those who have been excluded, and puts resources in the places that will allow each member of our communities to heal and thrive. We are here for the long haul – and we need your support now more than ever.

In solidarity,

**Elizabeth Ward Saxl**  
Executive Director

**Melissa Martin**  
Public Policy & Legal Director

**Marion Hylan-Barr**  
Public Policy Specialist



*Advocates and allies demand funding for victims services at the Maine State House.*

# 2024 New Laws

Below are some of our priority bills that became law this year – beginning with those laws that directly relate to our work, but also including laws that improve paths to justice, impact survivors’ experiences in dealing with systems of care, or provide new resources for building more equitable and connected communities in our state.

## Funding for Sexual Violence Services

### Public Law 2023 Chapter 643

**LD 2214, An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal years Ending June 30, 2024, and June 30, 2025**

**Sponsored by Representative Sachs**

PART PP of Public Law 2023, chapter 643 directed the State Controller to transfer \$6,000,000 from the unappropriated surplus of the General Fund to the Department of Health and Human Services, Purchased Social Services, Other Special Revenue Funds account to provide one-time funding to replace reductions in grants to the department under the federal victim assistance formula grant program administered by the United States Department of Justice, Office of Justice Programs, Office for Victims of Crime pursuant to the federal Victims of Crime Act of 1984.



*Advocates rally for LD 2084*

*“Not only would this funding cut affect our programming, but the impact it would have on survivors being able to access the network of support services we have built in the state of Maine over the past few decades would be catastrophic.”*

**LD2084 Testimony**

### **LD 2084, An Act to Provide Funding for Essential Services for Victims of Crimes,**

which was sponsored by Senator Carney and did not pass, would have provided ongoing funding for crime victim services to replace current and anticipated reductions in grants to the department under the federal victim assistance formula grant program administered by the United States Department of Justice, Office of Justice Programs, Office for Victims of Crime pursuant to the federal Victims of Crime

Act of 1984. Public Law 2023, chapter 643 incorporated this VOCA funding one time instead of providing ongoing funding as proposed by LD 2084.

## New Laws Protecting Survivors of Sexual Violence

### Public Law 2023 Chapter 519

**LD 2085, An Act to Update Maine’s Domestic Violence and Stalking Laws**

**Sponsored by Senator Carney**

Public Law 2023, chapter 519 ensures that Maine’s stalking, terrorizing, harassment, and other protection from abuse statutes are constitutional by closely aligning them with the new federal standard set by *Counterman v. Colorado*, 600 U.S. 66 (2023). In *Counterman*, the U.S. Supreme Court established a new recklessness standard for “true threat” cases that are not protected free speech, finding the state must show that a person “consciously disregarded a substantial risk that the person’s communications would be viewed as threatening violence.” Specifically, Maine’s new law amends relevant sections of the Maine Criminal Code and the protection from abuse statutes to provide that, for an actor to commit "abuse" within the meaning of the protection from abuse laws based on the content of the actor's speech or for an actor to commit the crime of terrorizing, domestic violence terrorizing, stalking, domestic violence stalking or harassment by telephone based on the content of the actor's speech, the actor must have consciously disregarded a substantial risk that the actor's speech would place a reasonable person in fear of bodily injury. Public Law 2023, chapter 519 was enacted as an emergency measure effective March 6, 2024.

### Public Law 2023 Chapter 646

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

**Sponsored by Representative Moonen**

Public Law 2023, chapter 646 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. This important change ensures that victims of ongoing cases of child sexual abuse whose interviews have been recorded at Children’s Advocacy Centers do not have to be retraumatized by repeating their entire interview process in the courtroom. Public Law 2023, chapter 646 was enacted as an emergency measure effective April 22, 2024.

## **Public Law 2023 Chapter 626**

**LD 870, An Act to Strengthen Freedom of Speech Protections by Enacting the Uniform Public Expression Protection Act**

**Sponsored by Senator Tipping**

Public Law 2023, chapter 626 repeals Maine’s law against strategic lawsuits against public participation, or the anti-SLAPP law, and replaces it with the Uniform Law Commission’s Uniform Public Expression Protection Act. This law takes effect January 1, 2025, and importantly, it specifically allows survivors of sexual violence bringing a workplace discrimination or Title IX complaint to be protected by a retaliatory filing of a defamation case. Chapter 626 became law without the Governor’s signature.



*Survivors are more fully protected against retaliatory defamation lawsuits when they bring workplace discrimination or Title IX complaints against the person who harmed them.*



## **New Laws Improving Access to Healthcare & Reproductive Justice**

### **Public Law 2023 Chapter 648**

**LD 227, An Act Regarding Health Care in the State; title amended to: An Act Regarding Legally Protected Health Care Activity in the State**

**Sponsored by Representative Perry**

Public Law 2023, chapter 648 provides protections to persons who seek, to health care practitioners who provide, and to those who assist health care practitioners in providing gender-affirming health care services and reproductive health care services in accordance with the applicable standard of care. Part A of the law:

- Establishes that access to gender-affirming health care services and reproductive health care services, when those services are authorized under the laws of this State, is a legal right and that interference with access to such services or the provision of such services is against the public policy of this State;
- Defines "legally protected health care activity" as the exercise or attempted exercise of the right to gender-affirming health care services or reproductive health care services secured in this State as well as the provision or attempted provision of gender-affirming health care services or reproductive health care services authorized under the laws of this State by a health care practitioner licensed and physically present in this State, regardless of whether the patient is located in this State or the health care practitioner is licensed in the state where the patient is located. "Legally protected health care

activity" does not include conduct that could form the basis of civil, criminal or administrative liability under the laws of this State had the course of conduct occurred entirely within this State;

- Authorizes a health care practitioner or person assisting a health care practitioner against whom a civil, criminal or administrative action in another state is brought to deter, prevent, sanction, or punish that health care practitioner for engaging in legally protected health care activity or that person for aiding and assisting legally protected health care activity, referred to in the amendment as "hostile litigation," to bring a civil action in this State for damages, punitive damages and equitable relief;
- Requires a person seeking to enforce in this State a judgment from another state, referred to in the amendment as a "foreign judgment," in connection with hostile litigation to bring an action on the judgment within 5 years. A court in this State may not enforce a foreign judgment in connection with hostile litigation if the court that issued the judgment lacked jurisdiction or failed to provide due process of law;
- Provides that, unless required by federal law, a court of this State may not order a person in this State to give testimony or produce documents or other information in any proceeding involving hostile litigation;
- Prohibits public agencies, including law enforcement agencies, from knowingly cooperating with or expending public resources in furtherance of an investigation or proceeding against a person for engaging in or aiding and assisting legally protected health care activity. It also prohibits the arrest of a person in this State if the arrest is related to criminal liability for engaging in or aiding and assisting legally protected health care activity. The law does not prohibit a public agency, including a law enforcement agency, from cooperating or assisting an investigation or proceeding or from responding to a warrant or extradition demand on the good faith belief that the warrant or demand is valid in this State or when exigent circumstances make compliance impossible; and
- Provides that the laws of this State apply to any case or controversy heard in this State involving legally protected health care activity or aiding and assisting legally protected health care activity.

Part B of the law:

- Amends the Uniform Interstate Depositions and Discovery Act, through which a person may request that a court in this State issue a subpoena to effectuate a subpoena issued under the authority of a court in another state, referred to as a "foreign subpoena." A

person submitting a foreign subpoena to a clerk of court must also submit an affidavit attesting whether the foreign subpoena seeks documents, information, inspection or testimony related to the provision or receipt of legally protected health care activity or aiding and assisting legally protected health care activity. If the affidavit reveals that the foreign subpoena is related to legally protected health care activity or aiding and assisting legally protected health care activity, the clerk may not issue the subpoena and must present the request to the court. The court must deny the request unless it finds that the foreign subpoena seeks documents, information, inspection or testimony related to specified types of civil actions either brought by a person or brought under a contract for which a similar cause of action exists under the laws of this State.

Part C of the law:

- Amends the Uniform Criminal Extradition Act to prohibit the Governor from surrendering a person charged in another state for engaging in or aiding and assisting legally protected health care activity unless the executive authority in the other state alleges that the accused was physically present in the other state when the alleged offense was committed and thereafter fled the other state; and
- Prohibits a court in this State from issuing a search warrant authorizing a government entity to obtain portable electronic device content information that relates to an investigation into legally protected health care activity or aiding and assisting legally protected health care activity.

Part D of the law:

- Provides that a health care practitioner that provides services related to legally protected health care activity may participate in the Address Confidentiality Program administered by the Secretary of State. Current law prohibits an insurer that provides medical malpractice insurance in this State from discriminating or taking any adverse action against a health care professional who provides reproductive health care services on the sole basis that the health care professional is acting in violation of another state's law or is subject to an adverse action against the health care professional's license in another state.

Part E of the law:

- Extends analogous protections to health care practitioners who engage in or aid and assist legally protected health care activity as defined in Part A;
- Prohibits a professional licensing authority in this State from subjecting a health care practitioner to professional discipline based solely on the health care practitioner's engaging in or aiding and assisting legally protected health care activity or a pending or

final criminal, civil or professional discipline action in another state based on engaging in or aiding and assisting legally protected health care activity;

- Prohibits a health care provider or health care entity from restricting or denying the clinical privileges of or taking formal disciplinary action against a health care practitioner solely as a result of the health care practitioner's engaging in or aiding and assisting legally protected health care activity or the initiation or final disposition of a professional discipline action by a professional licensing authority in another state based on the health care practitioner's engaging in or aiding and assisting legally protected health care activity; and
- Prohibits a carrier offering or renewing a health care plan in this State from terminating or not renewing a contract with or imposing any monetary penalties against a participating provider on the sole basis that the participating provider engages in or aids and assists legally protected health care activity.

Part F of the law:

- Prohibits a health care practitioner or facility from disclosing in a civil or administrative action or proceeding or in response to a subpoena issued in such a proceeding information obtained through an examination of an individual relating to reproductive health care services or gender-affirming health care services and from disclosing a communication from an individual or a person acting on the individual's behalf about reproductive health care services or gender-affirming health care services unless:
  1. The disclosure is authorized in writing by the individual;
  2. The disclosure is requested in connection with a medical malpractice claim brought by the individual against the health care practitioner or facility;
  3. The disclosure is requested by a professional licensing board in this State in connection with a complaint that is not based solely on an allegation that a licensee provided reproductive health care services or gender-affirming health care services that are lawful in this State and within the licensee's scope of practice; or
  4. The disclosure is requested in connection with an investigation of abuse, neglect or exploitation of a child or an incapacitated or dependent adult by a federal or Maine agency responsible for investigating such abuse, neglect or exploitation.

Part G of the law:

- Makes clear that the law may not be construed to conflict with or amend the Uniform Child Custody Jurisdiction and Enforcement Act.

### **Public Law 2023 Chapter 597**

**LD 299, An Act to Amend the Laws Regarding Health and Human Services; title amended to: An Act to Correct Language Related to Medicaid Coverage for Children**

**Sponsored by Representative Meyer**

Public Law 2023, chapter 597 removes the Children's Health Insurance Program references to higher family income and lower family income limits for infants and children under 19 years of age to provide the department with future flexibility to maximize funding sources through the Children's Health Insurance Program, standardizes language for Medicaid coverage for persons 19 and 20 years of age to be consistent with current policy, and changes the name of the Cub Care program to the Children's Health Insurance Program.

### **Resolve 2023 Chapter 158**

**LD 435, Resolve, to Ensure the Provision of Medically Necessary Behavioral Health Care Services for Children in Their Homes and Communities; title amended to: Resolve, to Require the Department of Health and Human Services to Report on Children's Residential Treatment Services and Implementation of the Department's Strategic Priorities for Children's Behavioral Health Services)**

**Sponsored by Representative Gramlich**

Resolve 2023, chapter 158 requires the Department of Health and Human Services to review relevant data and conduct an analysis on the capacity, occupancy, and availability of and access to children's residential treatment services in the State and the residential treatment services located outside of the State that are being provided to children who normally reside in this State. By January 2, 2025, the department must submit to the joint standing committee of the Legislature having jurisdiction over health and human services matters a report summarizing the data and results of the analysis of children's residential treatment services, an update on the department's progress in implementing its strategic priorities developed in 2019 to implement the children's behavioral health services plan for Maine developed by the department's Office of Child and Family Services, and a summary of the department's current priorities to ensure the availability, quality, and consistency of and access to behavioral health care services for children. Public Law 2023, chapter 158 was enacted as an emergency measure effective March 28, 2024.

### **Resolve 2023 Chapter 134**

**LD 2009, An Act to Prevent Abandonment of Children and Adults with Disabilities in Hospitals; title amended to: Resolve, to Establish a Stakeholder Group to Address the Problem of Long Stays for Children and Adolescents in Hospital Emergency Departments**

**Sponsored by Senator Stewart**

Resolve 2023, chapter 134 directs the Department of Health and Human Services to convene a stakeholder group to address the problem of children and adolescents experiencing long stays in hospital emergency departments after the children and adolescents are medically stable and no longer require medical treatment but appropriate community or residential placements are not available. The Commissioner of Health and Human Services must appoint the members of the stakeholder group, which must include representatives from offices within the department and organizations dealing with child welfare, behavioral health and medicine, in addition to affected parents and other interested parties. The department must submit a report with the stakeholder group's recommendations to the joint standing committee of the Legislature having jurisdiction over health and human services matters no later than November 6, 2024. Resolve 2023, chapter 134 was enacted as an emergency measure effective March 6, 2024.

## New Laws that Support Equity and Anti-Discrimination

### **Public Law 2023 Chapter 656**

**LD 794, An Act to Expand the Membership of the Permanent Commission on the Status of Women**

**Sponsored by Senator Vitelli**

Public Law 2023, chapter 656 increases the membership of the Permanent Commission on the Status of Women from 17 members to 19 members and requires that the Governor appoint the 2 additional members, with one member representing the interests of lesbian, gay, bisexual, transgender, queer, questioning, intersex or asexual persons and one member a person who has not attained 25 years of age.

### **Public Law 2023 Chapter 489**

**LD 279, An Act to Protect Against Discrimination by Public Entities**

**Sponsored by Speaker Talbot Ross**

Public Law 2023, chapter 489 creates a new section in the Maine Human Rights Act that states it is unlawful discrimination for a public entity to discriminate against an individual, exclude an individual from participation in a service, program, or activity of that public entity or otherwise deny to an individual the benefits of a service, program, or activity of that public entity by reason of the individual's race or color, sex, sexual orientation, gender identity, age, physical or mental disability, religion, ancestry, or national origin.

Although the law makes permanent changes to the Maine Human Rights Act, the positions to implement the law are funded only one-time. The Assistant Attorney General position and a Correctional Care and Treatment Worker position established in the law are limited period positions ending June 14, 2025, and there are no appropriations and allocations in fiscal years 2025-26 and beyond provided. The law adds a General Fund appropriation to the Department

of Corrections of \$50,000 in fiscal year 2023-24 to allow its limited period position to begin January 1, 2024, instead of in fiscal year 2024-25. Chapter 648 became public law without the Governor's signature.

### **Public Law 2023 Chapter 545**

#### **LD 2150, An Act to Require Constitutional Officers to Complete Harassment Training**

**Sponsored by Representative Andrews**

Public Law 2023, chapter 545 requires the Secretary of State, Treasurer of State, and Attorney General to attend and complete annually a course of in-person education and training regarding harassment, including, but not limited to, sexual harassment and racial harassment.

### **Resolve 2023 Chapter 163**

#### **LD 2235, Resolve, Directing the Department of Administrative and Financial Services, the State Court Administrator and the Executive Director of the Legislative Council to Add a 3<sup>rd</sup> Option for Gender on State Forms**

**Sponsored by Representative Moonen**

Resolve 2023, chapter 163 directs the Department of Administrative and Financial Services, the State Court Administrator and the Executive Director of the Legislative Council to update by December 31, 2024, all printed forms, applications and other documents that require the designation of a person's gender to add an option to designate "X" for gender. The resolve also directs the Department of Administrative and Financial Services, the State Court Administrator and the Executive Director of the Legislative Council to update all digital forms, applications and other documents that require the designation of a person's gender to add an option to designate "X" for gender in the regular course of updating their forms. Finally, the resolve directs the Department of Administrative and Financial Services, the State Court Administrator and the Executive Director of the Legislative Council, while updating all forms, to determine whether the designation of a person's gender is necessary for the purposes of each form, and, if it is not, to remove the question from the form. The resolve also adds an exception to the requirement to add an option to designate "X" for gender for forms, applications or other documents that are created pursuant to federal law or regulation or for the purpose of multijurisdictional cooperation and uniformity.

## **New Laws Related to the Criminal Justice System**

### **Public Law 2023 Chapter 525**

#### **LD 2045, An Act to Establish Training and Certification Standards for Probation and Parole Officers**

**Sponsored by Representative Salisbury**

Public Law, chapter 525 requires the Board of Trustees of the Maine Criminal Justice Academy to establish training and certification standards, set requirements for board-approved courses, prescribe curricula, and certify graduates of board-approved courses for probation and parole officers and requires those officers to meet the training and certification standards established by the board.

### **Public Law 2023 Chapter 666**

**[LD 2218, An Act to Remove the Age-related Statutory Prerequisite for Sealing Criminal History Record Information](#)**

**Sponsored by Representative Moonen**

Public Law 2023, chapter 666 implements a recommendation of the Criminal Records Review Committee, which was reestablished by Resolve 2023, chapter 103. The law removes the requirement that a person had in fact attained 18 years of age but had not attained 28 years of age at the time of the commission of a crime to qualify to have the person's criminal history record information sealed under a post-judgment motion.

### **Public Law 2023 Chapter 615**

**[LD 2250, An Act to Allow the Department of Corrections to Comply with the Federal Prison Rape Elimination Act of 2003 - title renamed to An Act to Allow the Department of Corrections and County Jails to Comply with the Federal Prison Rape Elimination Act of 2003](#)**

**Sponsored by Senator Carney**

Public Law 2023, chapter 615 amends the statutory confidentiality provisions related to personnel records to allow the State's Department of Corrections to share certain information related to allegations of sexual misconduct or sexual harassment and 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. Specifically, chapter 615 authorizes the department to disclose to the alleged victim information regarding whether the individual alleged to have engaged in the sexual misconduct or sexual harassment is still assigned to the same work location where the sexual misconduct or sexual harassment allegedly occurred. The law also amends the statutory confidentiality provisions related to personnel records of county employees to allow an alleged victim of sexual misconduct or sexual harassment in a county jail or detention facility to receive the same information about the individual alleged to have engaged in the sexual misconduct or sexual harassment that an alleged victim of sexual misconduct or sexual harassment in a correctional facility may receive. Public Law 2023, chapter 615 was enacted as an emergency measure effective April 11, 2024.

## New Laws Related to the Child Protective System

### Public Law 2023 Chapter 518

#### LD 2095, An Act to Require Reporting of Child Abuse and Neglect to Military Family Advocacy Programs

**Sponsored by President Jackson**

Public Law 2023, chapter 518 specifies that if an allegation of abuse or neglect of a child against a parent or legal guardian of a child is investigated, the Department of Health and Human Services must collect information concerning the military status of the parent or legal guardian and share information about the allegation with the appropriate military authorities. It also directs the department to negotiate a memorandum of understanding with family advocacy programs at military installations. Public Law 2023, chapter 518 was enacted as an emergency measure effective March 6, 2024.

## New Laws Related to Firearms

### Public Law 2023 Chapter 675

#### LD 2224, An Act to Strengthen Public Safety by Improving Maine's Firearm Laws and Mental Health System

**Sponsored by Senator Rotundo**

Public Law 2023, chapter 675 does the following:

- Prohibits a person from owning, possessing, or having under that person's control a firearm if that person is a restricted person under an order issued by another jurisdiction that is like an extreme risk protection order in this State;
- Amends and **strengthens Maine's extreme risk protection order or yellow flag law by allowing a law enforcement officer to go directly to a judge for a protective custody warrant.** Law enforcement may assess a person, take the person into protective custody for a mental health evaluation, and have a hearing before a judge to remove guns from a person in a psychiatric crisis;
- Changes the classification of the crime of recklessly, knowingly or intentionally selling or transferring a firearm to a person who is prohibited from owning, possessing or having under that person's control a firearm from a Class D to a Class C crime;
- **Does not require universal background checks for all firearms sales but extends the National Instant Criminal Background Check System (NICS) to advertised,**

**private sales, so** any firearm advertised for sale on Facebook Marketplace, Craigslist or a similar forum must be checked against the NICS, as is required for commercial sales at federally licensed firearm dealers;

- **Encourages NICS Checks for unadvertised, private sales.** Although transfers of firearms to family members or trusted friends remains unchanged and does not require a NICS check, the threat of increased risk of prosecution is intended to encourage NICS checks for private, unadvertised sales to people unknown to the seller; and
- Provides one-time funding for the Department of Health and Human Services for a new injury and violence prevention program, including data collection, synthesis and evaluation to help inform public policy.

### **Public Law 2023 Chapter 678**

#### **LD 2238, An Act to Address Gun Violence in Maine by Requiring a Waiting Period for Certain Firearms Purchases**

**Sponsored by Senator Rotundo**

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, and the 72-hour waiting period after the sale of the firearm is concurrent with any waiting period required by any background check process required by federal or state law. The 72-hour waiting period does not apply to the sale of a firearm if the seller knows that the person to whom the seller is selling the firearm is: a law enforcement officer, a corrections officer, a person who is employed by a contract security company or proprietary security organization, or a person who is licensed as a private security guard. The waiting period also does not apply to the sale of a firearm to a firearm dealer; to the sale of a firearm if the buyer and seller are family members; if the firearm being sold is a curio, relic, or antique firearm; or if the sale does not require a background check under federal or state law. Public Law 2023, chapter 678 became law without the Governor's signature.

### **New Laws Related to the Independent Commission Investigating the Tragedy in Lewiston**

#### **Resolve 2023 Chapter 129**

#### **LD 2192, Resolve, to Ensure that the Independent Commission to Investigate the Facts of the Tragedy in Lewiston Has Necessary Authority to Discharge Its Fact-finding Mission**

**Sponsored by Speaker Talbot Ross**

Resolve 2023, chapter 129 authorizes the Independent Commission to Investigate the Facts of the Tragedy in Lewiston, in compliance with federal and state laws and rules, to issue subpoenas to compel the testimony of witnesses and the production of documents. It also authorizes the independent commission to request and receive records in the possession of any state agency or instrumentality that it determines are necessary to fulfill the independent commission's fact-finding mission, including confidential records and records not otherwise subject to public disclosure. The resolve further authorizes the commission to take testimony in executive session upon a showing that confidentiality is necessary to the commission's mission, and it establishes a standard by which the independent commission weighs whether to release testimony over a witness's objection. The independent commission must cooperate with the State Archivist on record maintenance and report on its use of subpoena power, which sunsets on July 1, 2024. Nothing in this resolve establishes a precedent authorizing independent commissions to issue subpoenas in the future. Resolve 2023, chapter 129 was enacted as an emergency measure effective February 13, 2024.

## 2024 Priority Bills Not Passed

In addition to the bills and resolves that were enacted this year, many very important measures were not enacted. Many bills were left unfunded on the Special Appropriations Table; some were taken off the Special Appropriations Table, amended and enacted by the Senate but were never taken up by the House; and a total of 35 were taken off the Special Appropriations Table, enacted, and made it to the Governor's desk but were pocket vetoed. Several of these bills were priorities for MECASA, and we will continue to work with legislators and our allies to advocate to get them passed in the next legislative session. Some of the biggest priorities that were not enacted during the 131st Legislative Session included the following.

### [LD 566, An Act to Provide Funding for Sexual Assault Services](#)

**Sponsored by Senator Duson**

This bill would have provided important funding for sexual assault services, raising the annual wages of sexual assault victim advocates to address an ongoing staffing crisis and support the sustainability of services for victims and survivors. The bill would have also provided funding for

outreach and services for disproportionately impacted populations, including immigrant communities, transgender Mainers, Black and Indigenous people, and people with disabilities. With the death of this bill, advocate salaries will remain uncompetitive, with a low of \$33,500 per year, and the people at highest risk of experiencing sexual violence will lose an opportunity for services that would have focused on their specific needs.



*Advocates and supporters gather for the LD566 Public Hearing during the 1<sup>st</sup> Session of the 131<sup>st</sup> Legislature*

**[LD 816, An Act to Provide Integrated Behavioral Health Services to Sexual Violence Survivors](#)**  
**Sponsored by Representative Stover**

LD 816 would have provided funding for the State's sexual assault support centers to hire up to 7 behavioral health professionals to provide services and receive training on working with victims of sexual assault, sexual exploitation, and sexual violence or related trauma.

**[LD 2103, An Act to Protect Victims of Domestic Abuse and Violence by Amending the Law Regarding Proximity Restrictions in Final Protection from Abuse Orders](#)**  
**Sponsored by Senator Rafferty**

LD 2103 would have amended the law governing final protection from abuse orders to give the court the authority in a final order to direct a defendant to refrain from knowingly being within a specified distance of the plaintiff or to prohibit the defendant from being present at a specific location.

**[LD 2129, An Act to Establish a Statewide Sexual Assault Forensic Examination Kit Tracking System and Conduct an Inventory of Existing Forensic Examination Kits in the Possession of Law Enforcement](#)**  
**Sponsored by Representative Geiger**

LD 2129 would have directed the Department of Public Safety to establish, operate, and maintain a sexual assault forensic examination kit tracking system. The system would have protected victim confidentiality and provided relevant information for victims, both those who choose to report to a law enforcement agency and those who choose not to report, and other approved users regarding the processing, custody, analysis, and destruction of evidence. The bill also would have directed a law enforcement agency that receives, maintains, stores, or preserves sexual assault forensic examination kits to complete an inventory of all kits in its possession and report its findings to the Department of Public Safety. This information would then have been provided to the Legislature and posted on the department's public website. Finally, the bill would have created appropriations and allocations for 3 new positions within the Department of Public Safety to administer the kit tracking system and assist with kit testing.

**[LD 780, Resolution, Proposing an Amendment to the Constitution of Maine to Protect Reproductive Autonomy](#)**

**Sponsored by Senator Vitelli**

LD 780 was a resolution that proposed to amend the Constitution of Maine by declaring that every person has a right to personal reproductive autonomy.

**[LD 1478, An Act to Improve Women's' Health and Economic Security by Funding Family Planning Services](#)**

**Sponsored by Senator Pierce**

LD 1478 would have provided ongoing appropriations of \$3,390,000 in each year of the biennium from the General Fund to be distributed by the Department of Health and Human Services to a single grantee to provide management and oversight of the delivery of family planning services.

**[LD 2263, An Act to Fund Military Sexual Trauma Liaison Positions at Community-based Organizations](#)**

**Sponsored by Veterans and Legal Affairs Committee, championed by Representative Rielly**

LD 2263 would have provided funding to community-based military sexual trauma liaisons in alignment with the recommendations from the Governor's Advisory Council on Military Sexual Trauma.