

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 1173

H.P. 778

House of Representatives, March 20, 2025

**Resolve, to Establish a Group to Study the Laws Governing the
Guardianship of Adults and Ongoing Parental Rights of Parents of
Disabled Adults**

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative BRIDGEO of Augusta.
Cosponsored by Representative HYMES of Waldo and
Representatives: GUERRETTE of Caribou, ROLLINS of Augusta, SAYRE of Kennebunk,
SHAGOURY of Hallowell.

1 **Sec. 1. Study group established. Resolved:** That the Study Group to Examine the
2 Guardianship of Adults and Ongoing Parental Rights of Parents of Disabled Adults,
3 referred to in this resolve as "the study group," is established.

4 **Sec. 2. Membership. Resolved:** That the study group consists of 8 members as
5 follows:

6 1. Three members of the Senate, appointed by the President of the Senate, including at
7 least one member from each of the 2 parties holding the largest number of seats in the
8 Legislature;

9 2. Three members of the House of Representatives, appointed by the Speaker of the
10 House of Representatives, including at least one member from each of the 2 parties holding
11 the largest number of seats in the Legislature;

12 3. One member of an organization representing disability rights in this State, appointed
13 by the President of the Senate; and

14 4. One member representing the Office of the Attorney General, appointed by the
15 Speaker of the House.

16 **Sec. 3. Chairs; quorum. Resolved:** That the first-named Senate member is the
17 Senate chair of the study group and the first-named House of Representatives member is
18 the House chair of the study group. A quorum of the study group is 5 members and is
19 required to begin a meeting of the study group or to hold a vote.

20 **Sec. 4. Appointments; convening of study group. Resolved:** That all
21 appointments must be made no later than 30 days following the effective date of this
22 resolve. The appointing authorities shall notify the Executive Director of the Legislative
23 Council once all appointments have been completed. After appointment of all members,
24 the chairs shall call and convene the first meeting of the study group. If 30 days or more
25 after the effective date of this resolve a majority of but not all appointments have been
26 made, the chairs may request authority and the Legislative Council may grant authority for
27 the study group to meet and conduct its business.

28 **Sec. 5. Duties. Resolved:** That the study group shall:

29 1. Review current laws and rules applying to the legal guardianship of an adult in this
30 State, including alternatives to legal guardianship;

31 2. Review current laws and rules applying to the ongoing rights of a parent with respect
32 to the parent's child who has attained 18 years of age and who has one or more disabilities
33 that impair the child's ability to meet essential requirements for physical health, safety or
34 self-care; and

35 3. Evaluate what, if any, actions should be taken to improve the clarity of the laws and
36 rules described in subsections 1 and 2.

37 **Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide
38 necessary staffing services to the study group, except that Legislative Council staff support
39 is not authorized when the Legislature is in regular or special session.

40 **Sec. 7. Report. Resolved:** That, no later than December 3, 2025, the study group
41 shall submit a report that includes its findings and recommendations, including any

1 suggested legislation, to the Joint Standing Committee on Health and Human Services and
2 the Joint Standing Committee on Judiciary. The joint standing committees may report out
3 legislation related to the report to the 132nd Legislature in the Second Regular Session.

4 **SUMMARY**

5 This resolve establishes the Study Group to Examine the Guardianship of Adults and
6 Ongoing Parental Rights of Parents of Disabled Adults. The study group is established to
7 review current laws and rules applying to the legal guardianship of an adult in this State
8 and the laws and rules applying to the ongoing parental rights of a parent of an adult child
9 with one or more disabilities that impair the adult child's ability to meet essential
10 requirements for physical health, safety or self-care. The study group must evaluate what,
11 if any, actions should be taken to improve the clarity of those laws and rules.

12 By December 3, 2025, the study group must submit a report that includes its findings
13 and recommendations, including any suggested legislation, to the Joint Standing
14 Committee on Health and Human Services and the Joint Standing Committee on Judiciary.
15 The joint standing committees may report out legislation related to the report to the 132nd
16 Legislature in the Second Regular Session.