

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-SECOND LEGISLATURE

SECOND REGULAR SESSION
JANUARY 7, 2026 to APRIL 29, 2026

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NONEMERGENCY LAWS IS
JULY 29, 2026

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2026

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CHAPTER 510
H.P. 1195 - L.D. 1784

**An Act to Require Police
Departments to Publish and
Make Accessible Their Policies
and Procedures and Require
Training of Officers**

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 25 MRSA §2801-A, sub-§4-A is enacted to read:

4-A. Law enforcement agency. "Law enforcement agency" has the same meaning as in section 3701, subsection 1.

Sec. 2. 25 MRSA §2803-B, sub-§8 is enacted to read:

8. Orientation and training. A law enforcement agency shall provide orientation and training on the policies and procedures of the agency under subsection 1.

Sec. 3. 25 MRSA §2808-B is enacted to read:

§2808-B. Accessibility of policies and procedures

1. Publishing of policies and procedures. Except as provided by subsection 4, by January 1, 2026, a law enforcement agency shall publish and make publicly available in clear and understandable language the agency's policies and procedures required under section 2803-B, including:

- A. A summary of each key policy of the agency;
- B. A comprehensive list of agency rules and guidelines governing law enforcement officer conduct, including any updates or revisions; and
- C. Contact information for a member of the public to request access to information under paragraph A or B.

2. Format and accessibility. A law enforcement agency shall publish the information in subsection 1 in a manner that clearly labels the information as the agency's policies and procedures and states the date the policies and procedures were published. The information must be made available:

- A. On a publicly accessible website in a readable format that allows the information to be downloaded. The information must be located on the agency's main website or a dedicated section of the website with no technical barriers preventing public access, including requiring a password or a fee; or
- B. In a printed paper copy format accessible at the agency's headquarters or principal location of operations. A law enforcement agency that makes

available printed paper copies under this paragraph shall make available during normal business hours to a member of the public a paper copy of the agency's policies and procedures under subsection 1 within 7 business days of the member's request. If a paper copy of the policies and procedures is not made available to a requesting member of the public within 7 business days of the request, the law enforcement agency shall inform the member of the public when the paper copy will be made available.

3. Agency compliance. No later than January 1st of each year, the chief administrative officer of a law enforcement agency shall certify to the board that the agency is in compliance with this section and section 2803-B, subsection 8.

4. Dissemination of intelligence and investigative record information prohibited. A law enforcement agency may not disseminate a record that contains intelligence and investigative record information that is confidential in accordance with Title 16, section 804.

5. Payment of costs. A law enforcement agency that provides printed paper copies of policies and procedures pursuant to subsection 2, paragraph B may charge a reasonable fee for the costs of producing the policies and procedures in accordance with Title 1, section 408-A.

See title page for effective date.

CHAPTER 511

S.P. 698 - L.D. 1796

**An Act to Implement the
Recommendations of the Maine
Commission on Public Defense
Services to Clarify the Types of
Cases for Which the
Commission Is Responsible for
Providing Counsel**

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 4 MRSA §1802, sub-§4, as amended by PL 2021, c. 676, Pt. A, §3, is further amended to read:

4. Indigent legal services. "Indigent legal services" means legal representation provided to:

- A. ~~An~~ Legal representation provided to an indigent defendant in a criminal case in which the United States Constitution or the Constitution of Maine or federal or state law requires that the State provide representation;
- B. ~~An~~ Legal representation provided to an indigent party in a civil case in which the United States Constitution or the Constitution of Maine or federal or

state law, except any provision of Title 18-C, requires that the State provide representation;

C. Juvenile Legal representation provided to juvenile defendants; and

D. An Legal representation provided to an indigent defendant or party or a juvenile for the purpose of filing, on behalf of that indigent defendant or party or juvenile, a petition for certiorari to the Supreme Court of the United States from an adverse decision of the Law Court on a case for which services were previously provided to that defendant or party or juvenile pursuant to paragraph A, B or C-; and

E. Services performed by an attorney at the direction of the commission that aid the commission in fulfilling the commission's purpose under section 1801.

"Indigent legal services" does not include the services of a guardian ad litem appointed pursuant to any provision of Title 18-C or pursuant to Title 19-A, section 1658, subsection 2-A or Title 22, section 4005, subsection 1.

Sec. 2. 4 MRSA §1802-A, as enacted by PL 2023, c. 638, §4, is repealed and the following enacted in its place:

§1802-A. Employed counsel and public defender; direct assignment prohibited

1. Duties. An attorney may be employed by the commission both as employed counsel and as a public defender.

2. Direct assignment by court prohibited. A court may not directly assign or appoint a public defender or employed counsel to represent a party entitled to indigent legal services.

Sec. 3. 18-C MRSA §5-119, sub-§1, as amended by PL 2019, c. 417, Pt. A, §14, is further amended to read:

1. Attorney for respondent. Unless the court has made a finding that the respondent is indigent and has appointed an attorney for the respondent on that basis, an attorney for a respondent in a proceeding under this Act is entitled to reasonable compensation and reimbursement of reasonable expenses from the property of the respondent. If the court has made a finding that the respondent is indigent and has appointed an attorney for the respondent on that basis, the court shall provide reasonable compensation to and reimburse the reasonable expenses of the attorney.

Sec. 4. 18-C MRSA §5-205, sub-§4, as enacted by PL 2017, c. 402, Pt. A, §2 and affected by PL 2019, c. 417, Pt. B, §14, is amended to read:

4. Appointment of counsel. A nonconsenting parent whose parental rights have not been terminated is entitled to court-appointed legal counsel if indigent.

In a contested action, the court may also appoint counsel for any indigent guardian or petitioner when a parent or legal custodian has counsel. The court shall provide reasonable compensation to and reimburse the reasonable expenses of an attorney appointed under this subsection.

Sec. 5. 18-C MRSA §5-205, sub-§5, as enacted by PL 2017, c. 402, Pt. A, §2 and affected by PL 2019, c. 417, Pt. B, §14, is amended to read:

5. Attorney for a minor; notice to minor. If the court determines at any stage of the proceeding, before or after appointment, that the interests of the minor are or may be inadequately represented, the court may appoint an attorney to represent the minor, giving consideration to the choice of the minor if the minor has attained 14 years of age. The court shall provide reasonable compensation to and reimburse the reasonable expenses of an attorney appointed for the minor under this subsection. A minor may appear with or through counsel, but the court is not restricted from requiring the minor to be present for some or all of a hearing or other proceeding. A minor 14 years of age or older must receive notice of any proceeding subsequent to the appointment of a guardian through the same means as required for any other party, and the minor may consent, object or otherwise participate in the proceeding.

Sec. 6. 18-C MRSA §5-210, sub-§1, as amended by PL 2019, c. 417, Pt. A, §19, is further amended to read:

1. Modification of guardianship order. A guardian of a minor, a parent of a minor, a person interested in the welfare of a minor or the minor, if 14 years of age or older, may file a motion asking the court to modify the terms of an order appointing a guardian or to take other action in the best interest of the minor as circumstances require. The motion must be filed with the court and served on all parties entitled to notice. In a contested action, the court may appoint counsel for the minor or for any indigent guardian or parent. If the court appoints counsel for a minor or an indigent guardian or parent under this subsection, the court shall provide reasonable compensation to and reimburse the reasonable expenses of the attorney. Unless the motion specifies that it is filed with the consent of all parties entitled to notice, the matter must be set for hearing to determine whether there has been a substantial change in circumstances necessitating modification of the order and how the court should modify the order in furtherance of the best interest of the minor and the parent's rights. The court may identify certain requirements that must be met before specific provisions of the order are modified. A court may modify a term of a guardianship order as needed to grant relief to a party to address contempt or other failure to follow the order.

Sec. 7. 18-C MRSA §5-210, sub-§7, as amended by PL 2019, c. 417, Pt. A, §20, is further amended to read:

7. Parent's petition to terminate guardianship; burden of proof. A parent may bring a petition to terminate the guardianship of a minor. A parent's notification to the court of the revocation of prior consent for a guardianship must be considered a petition to terminate the guardianship. Before the court may apply the termination requirements in subsection 6, a party opposing a parent's petition to terminate a guardianship bears the burden of proving by clear and convincing evidence that the parent seeking to terminate the guardianship is currently unfit to regain custody of the minor, in accordance with the standard set forth in section 5-204, subsection 2, paragraph C. If the party opposing termination of the guardianship fails to meet its burden of proof on the question of the parent's fitness to regain custody, the court shall terminate the guardianship and make any further order that may be appropriate. In a contested action, the court may appoint counsel for the minor or for any indigent guardian or parent. If the court appoints counsel for a minor or an indigent guardian or parent under this subsection, the court shall provide reasonable compensation to and reimburse the reasonable expenses of the attorney. In ruling on a petition to terminate a guardianship, the court may modify the terms of the guardianship or order transitional arrangements pursuant to section 5-211.

Sec. 8. 18-C MRSA §5-406, sub-§1, as enacted by PL 2017, c. 402, Pt. A, §2 and affected by PL 2019, c. 417, Pt. B, §14, is amended by enacting at the end a new first blocked paragraph to read:

Section 5-119, subsection 1 governs payment of an attorney appointed by the court to represent a respondent under this subsection.

Sec. 9. 18-C MRSA §5-406, sub-§3, as enacted by PL 2017, c. 402, Pt. A, §2 and affected by PL 2019, c. 417, Pt. B, §14, is amended by enacting at the end a new first blocked paragraph to read:

If the court appoints counsel for a parent under this subsection and makes a finding that the parent is indigent, the court shall provide reasonable compensation to and reimburse the reasonable expenses of the attorney.

Sec. 10. 18-C MRSA §5-507, sub-§1, as enacted by PL 2017, c. 402, Pt. A, §2 and affected by PL 2019, c. 417, Pt. B, §14, is amended by enacting at the end a new first blocked paragraph to read:

Section 5-119, subsection 1 governs payment of an attorney appointed by the court to represent a respondent under this subsection.

Sec. 11. 18-C MRSA §5-507, sub-§3, as enacted by PL 2017, c. 402, Pt. A, §2 and affected by PL 2019, c. 417, Pt. B, §14, is amended by enacting at the end a new first blocked paragraph to read:

If the court appoints counsel for a parent under this subsection and makes a finding that the parent is indigent,

the court shall provide reasonable compensation to and reimburse the reasonable expenses of the attorney.

Sec. 12. 18-C MRSA §9-106, sub-§1, as enacted by PL 2017, c. 402, Pt. A, §2 and affected by PL 2019, c. 417, Pt. B, §14, is amended to read:

1. Attorney for parents. The parents are entitled to an attorney for any hearing held pursuant to this Article. If a parent or putative parent wants an attorney but is unable to afford one, the parent or the putative parent may request the court to appoint an attorney. If the court finds the requesting party indigent, the court shall appoint and pay the reasonable costs and provide reasonable compensation to and reimburse the reasonable expenses of the attorney of the indigent party. The attorney may not be the attorney for the adoptive parents.

Sec. 13. 18-C MRSA §9-106, sub-§2, as enacted by PL 2017, c. 402, Pt. A, §2 and affected by PL 2019, c. 417, Pt. B, §14, is amended to read:

2. Attorney for minor indigent parent. When the adoptee is unrelated to the petitioner, the court shall appoint an attorney who is not the attorney for the adoptive parents to represent a minor indigent parent at every stage of the proceedings unless the minor indigent parent refuses representation or the court determines that representation is unnecessary. If the court appoints counsel for a minor indigent parent under this subsection, the court shall provide reasonable compensation to and reimburse the reasonable expenses of the attorney.

Sec. 14. 18-C MRSA §9-315, sub-§1, ¶A, as enacted by PL 2017, c. 402, Pt. A, §2 and affected by PL 2019, c. 417, Pt. B, §14, is amended by amending the first blocked paragraph to read:

The court may allocate the costs of the guardian ad litem to one or more of the parties and may appoint counsel for a minor adoptee or a party to the annulment proceedings. If the court appoints counsel for a minor or an indigent party under this paragraph, the court shall provide reasonable compensation to and reimburse the reasonable expenses of the attorney. A minor adoptee may appear and be represented by counsel.

Sec. 15. 19-A MRSA §1658, sub-§2-A, ¶A, as enacted by PL 2021, c. 340, §2, is amended to read:

A. The court shall appoint an attorney for a parent who is the subject of a petition to terminate parental rights and responsibilities under this section and who is indigent. ~~In a contested action, the court may also appoint counsel for any indigent petitioner who files a petition under this section when the parent who is the subject of the petition is represented by counsel.~~

Sec. 16. 19-A MRSA §1658, sub-§2-A, ¶A-1 is enacted to read:

A-1. In a contested action, the court may appoint counsel for any indigent petitioner who files a petition under this section when the parent who is the subject of the petition is represented by counsel. The court shall provide reasonable compensation to and reimburse the reasonable expenses of an attorney appointed under this paragraph.

Sec. 17. 34-B MRSA §3864, sub-§10, as amended by PL 2007, c. 319, §10, is further amended to read:

10. Expenses. With the exception of expenses incurred by the applicant pursuant to subsection 5, paragraph F, the District Court is responsible for any expenses incurred under this section, including ~~fees of appointed counsel~~, witness and notice fees and expenses of transportation for the person but not fees of appointed counsel.

Sec. 18. Appropriations and allocations. The following appropriations and allocations are made.

PUBLIC DEFENSE SERVICES, MAINE COMMISSION ON

Maine Commission on Public Defense Services Z112

Initiative: Reclassifies an Assistant Defender I position to a Deputy District Defender position.

GENERAL FUND	2025-26	2026-27
Personal Services	\$1,000	\$1,000
GENERAL FUND TOTAL	\$1,000	\$1,000

See title page for effective date.

CHAPTER 512

S.P. 723 - L.D. 1840

An Act to Amend the Maine Medical Use of Cannabis Act

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 22 MRSA §2423-A, sub-§2, ¶O, as enacted by PL 2017, c. 452, §4 and amended by PL 2021, c. 669, §5, is further amended to read:

O. ~~Transport~~ Sell, offer to sell, furnish or transport cannabis plants or harvested cannabis for authorized conduct in accordance with this chapter on the property or premises owned, leased or rented by the caregiver, subject to the terms of any lease or rental agreement; at trade shows or other industry-related events regarding cannabis for medical use; or through delivery to or private arrangement with a qualifying patient or registrant as long as the delivery or private arrangement occurs on property or at premises owned, leased or rented, subject to the

terms of any lease or rental agreement, by the caregiver, qualifying patient or registrant or on public property that is not designated as a safe zone by a municipality pursuant to Title 30-A, section 3253 or in any other public space where the sale, furnishing or transport of cannabis plants or harvested cannabis is prohibited in law;

Sec. 2. 22 MRSA §2430-N, sub-§8, as enacted by PL 2023, c. 365, §25, is amended to read:

8. Sales Gross sales; sales tax revenue. The gross sales of cannabis for medical use for the current and prior fiscal years and the sales tax revenue from the sale of cannabis for medical use deposited into the General Fund for the current and prior fiscal years.

Sec. 3. Department of Administrative and Financial Services, Office of Cannabis Policy; medical cannabis research grant program rule-making. On or before January 9, 2026, the Department of Administrative and Financial Services, Office of Cannabis Policy shall provisionally adopt and submit for legislative review rules necessary to implement the medical cannabis research grant program in accordance with the Maine Revised Statutes, Title 22, section 2430, subsection 5. Rules adopted by the office pursuant to this section are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 4. Department of Administrative and Financial Services, Office of Cannabis Policy; availability of medical use of cannabis registration and renewal forms. The Department of Administrative and Financial Services, Office of Cannabis Policy shall as expeditiously as possible make available on the office's publicly accessible website all registration and renewal forms in their entirety as a portable document file or similar file format that does not require the use of independent software, hardware or operating systems. The office shall also make available registration and renewal forms in their entirety in paper form available at the office.

See title page for effective date.

CHAPTER 513

S.P. 741 - L.D. 1871

An Act to Permit Sealing Criminal History Record Information of Victims of Sex Trafficking or Sexual Exploitation

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 10 MRSA c. 239 is enacted to read:

CHAPTER 239