

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND THIRTIETH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 2, 2020 to March 30, 2021**

**FIRST SPECIAL SESSION**  
**April 28, 2021 to July 19, 2021**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 29, 2021**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**OCTOBER 18, 2021**

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

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**Augusta, Maine**  
**2021**

general public and, at a minimum, must contain the following:

A. A statement that failure to answer the complaint may result in entry of judgment in the amount demanded by the debt collector; and

B. A sample answer and an explanation that the consumer may fill out the form and return it to the court as the answer to the complaint. If the consumer returns the form to the court, the consumer does not need to file a more formal answer or responsive pleading.

4. Entry of judgment. A court may not enter judgment unless it specifically finds that all the requirements of this section and all other applicable requirements of this chapter are met, including, but not limited to, whether the plaintiff has produced evidence that is admissible pursuant to the Maine Rules of Evidence on all required elements of its claim.

5. Default judgment. If the defendant has failed to plead or otherwise defend, the plaintiff may apply for entry of default and a default judgment. The judge overseeing the action is responsible for entering a default and a default judgment, not the clerk of the court. Regardless of whether the defendant appears in the action or the judgment is based on a proposed order concerning a settlement, the court may not enter judgment in favor of the plaintiff unless the court determines that all the requirements of this section and all other applicable requirements of this chapter are met, including, but not limited to, whether the plaintiff has produced evidence admissible pursuant to the Maine Rules of Evidence on all required elements of its claim.

6. Exclusion. This section does not apply to any collection action brought by a supervised financial organization as defined in Title 9-A, section 1-301, subsection 38-A.

7. Rules. The Supreme Judicial Court may adopt rules necessary to implement the provisions of this section.

**Sec. F-3. 32 MRSA §11021** is enacted to read:  
**§11021. Collection actions prohibited in small claims court**

A debt collector may not commence a collection action against a consumer to collect a debt in small claims court pursuant to Title 14, chapter 738.

**PART G**

**Sec. G-1. 4 MRSA §18-B, sub-§7**, as enacted by PL 1995, c. 560, Pt. I, §3, is amended to read:

**7. Fees Authority and fees.** ~~When~~ A court may refer cases to the Court Alternative Dispute Resolution Service for mediation and, when a court refers parties case types or individual cases to the Court Alternative Dispute Resolution Service for mediation, the court

shall assess the parties a fee to be apportioned equally among the parties, unless the court otherwise directs. The fee must be deposited in the dedicated account created in subsection 8.

A party may file an in forma pauperis application for waiver of fee. If the court finds that the party does not have sufficient funds to pay the fee, it shall order the fee waived.

See title page for effective date.

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**CHAPTER 246**  
**H.P. 1172 - L.D. 1575**

**An Act To Improve Maine's Election Laws**

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

**Sec. 1. 21-A MRSA §112-A, sub-§3**, as enacted by PL 2009, c. 253, §11, is amended to read:

**3. Other official documents.** An official document, including, but not limited to, a document confirming eligibility determinations for public benefits, a utility bill, a bank statement, a government check, a paycheck or other government document that shows the name and address of the voter; ~~or~~

**Sec. 2. 21-A MRSA §112-A, sub-§3-A** is enacted to read:

**3-A. Student photograph identification document.** A student photograph identification document that is issued by a state-approved public or private school located in this State or that is issued by a duly authorized institution of higher learning that operates in this State; or

**Sec. 3. 21-A MRSA §605-A, sub-§3** is enacted to read:

**3. For absentee voters.** The Secretary of State shall prepare instructions for absentee voter applicants describing the reasons that a voter may request an absentee ballot after the deadline set forth in section 753-B, subsection 2, paragraph D and provide these instructions to each municipality. Each municipality shall include these instructions on a sign posted at the municipal office and on any website, social media page or other media that the municipality uses to communicate election information.

**Sec. 4. 21-A MRSA §626-A**, as enacted by PL 2015, c. 447, §17, is amended to read:

**§626-A. Voting place report**

The municipal clerk shall file a voting place report at least 60 days before each election conducted under this Title, on a form designed by the Secretary of State, with information about each voting place, including, but

not limited to, the location of each voting place, the location of each secured drop box, the times for in-person absentee voting at the clerk's office under section 753-B, subsection 8, the poll opening time and the number of voting booths that will be used.

**Sec. 5. 21-A MRSA §627, sub-§5** is enacted to read:

**5. Rulemaking.** The Secretary of State may adopt rules governing pollwatchers, additional party workers and others present in the polling place as described in subsection 4. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 6. 21-A MRSA §759, sub-§6**, as amended by PL 1995, c. 459, §78, is repealed and the following enacted in its place:

**6. Counting and results prohibited before the polls close.** The absentee ballots may not be counted, voter intent may not be determined and election results may not be obtained or released until after the polls have closed on election day and all election day ballots have been cast and all absentee ballots have been processed. A municipality that uses a high-speed ballot tabulator and receives results at the completion of the ballot scanning may not view the results until after the polls close on election day.

See title page for effective date.

**CHAPTER 247**

**H.P. 1235 - L.D. 1664**

**An Act To Integrate African American Studies and the History of Genocide into the Statewide System of Learning Results**

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

**Sec. 1. 20-A MRSA §4706**, as amended by PL 2009, c. 313, §§8 and 9, is further amended to read:

**§4706. Instruction in American history, African American studies, Maine studies and Maine Native American history and the history of genocide**

Instruction in American history, African American studies, government, citizenship and Maine studies and the history of genocide must be aligned with the parameters for essential instruction and graduation requirements established under section 6209.

**1. American history.** American history, government and citizenship, including the ~~Constitution of the~~ United States Constitution, the Declaration of Independence, the importance of voting and the privileges

and responsibilities of citizenship, must be taught in and required for graduation from all elementary and secondary schools, both public and private. African American studies must be included in the review of content standards and performance indicators of the system of learning results conducted in accordance with section 6209, subsection 4.

**2. Maine studies.** Maine history, including the Constitution of Maine, Maine geography and environment and the natural, industrial and economic resources of Maine and Maine's cultural and ethnic heritage, must be taught. A required component of Maine studies is Maine Native American studies, ~~which~~ Maine Native American studies and Maine African American studies must be included in the review of content standards and performance indicators of the learning results conducted in accordance with section 6209, subsection 4. ~~The~~ Maine Native American studies must address the following topics:

- A. Maine tribal governments and political systems and their relationship with local, state, national and international governments;
- B. Maine Native American cultural systems and the experience of Maine tribal people throughout history;
- C. Maine Native American territories; and
- D. Maine Native American economic systems.

**3. History of genocide.** The history of genocide, including the Holocaust, must be included in the review of content standards and performance indicators of the system of learning results conducted in accordance with section 6209, subsection 4.

**Sec. 2. Resource development; advisory group; curriculum audit; report.** The Department of Education is responsible for fulfilling the requirements of this section.

**1. Development of resources.** The department shall identify and make available to schools resources and materials for teaching African American studies, including Maine African American studies, pursuant to this Act.

**2. Advisory group.** The department shall, within 30 days after the effective date of this Act, convene a volunteer advisory group to collect information and prepare materials for the teaching of African American studies and Maine African American studies. The advisory group must include scholars of African American history and culture; representatives from African American civil rights organizations in the State, African American history and cultural organizations and the Gerald E. Talbot Collection at the University of Southern Maine; the Maine State Archivist; and members of the public with personal experience that would inform the collection of information and preparation of materials under this section. The department shall include at