

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
130<sup>TH</sup> LEGISLATURE  
FIRST REGULAR AND FIRST SPECIAL SESSIONS



Disposition of bills and summaries of all laws enacted or finally passed

**JOINT STANDING COMMITTEE ON JUDICIARY**

December 2021

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## JOINT STANDING COMMITTEE ON JUDICIARY

### **LD 27 An Act To Provide an Immediate Opportunity To Appeal for a Juvenile Bound Over into Criminal Court**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 23 provides that a juvenile may appeal the Juvenile Court's bind-over decision to try the juvenile as an adult either immediately after the bind-over decision or following a judgment of conviction as an adult.

### **LD 32 An Act Regarding Remote Participation in Public Proceedings**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 290 provides authorization for any public body subject to the Freedom of Access Act to conduct public proceedings by remote methods if the public body adopts a policy that meets certain requirements. "Remote methods" means telephonic or video technology allowing simultaneous reception of information and may include other means when such means are necessary to provide reasonable accommodation to a person with a disability. Public proceedings may not be conducted by text-only means, including but not limited to e-mail, text messages and chat functions.

The policy governing remote participation must be adopted by the public body only after notice and hearing. The policy establishes the conditions upon which members of the body and the public may participate in a public proceeding of that body by remote methods.

The policy must provide that members of the body are expected to be physically present for public proceedings except when being physically present is not practicable. The policy must provide members of the public a meaningful opportunity to attend by remote methods when members of the body participate by remote methods, and reasonable accommodations may be provided when necessary to provide access to individuals with disabilities. If the body allows or is required to provide an opportunity for public input during the proceeding, an effective means of communication between the members of the body and the public must be provided.

Notice of the proceeding must be provided as required in the Freedom of Access Act. When the public may attend by remote methods, the notice must include the means by which members of the public may access the proceeding using remote methods. The notice must also identify a location for members of the public to attend in person. The body may not determine that public attendance at a proceeding will be limited solely to remote methods except when an emergency or urgent issue exists that requires the public body to meet by remote methods.

A member of the body who participates in a public proceeding by remote methods is present for purposes of a quorum and voting.