

# 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 1254 An Act Shielding Fire Departments That Install Smoke and Carbon Monoxide Detectors from Liability**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 214 provides immunity from liability to a fire department in the residential installation or delivery of a smoke or carbon monoxide detector or batteries for a smoke or carbon monoxide detector if the installation or delivery is performed in the fire department's official capacity and is authorized by the municipal officers.

### **LD 1294 An Act To Prevent Discrimination against Domestic Violence Victims**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 476 amends the Maine Human Rights Act to provide protections against discrimination in employment and housing against a person who has sought and received an order of protection under the Maine Revised Statutes, Title 19-A, chapter 101, but only if the order of protection was issued after the opportunity for a hearing. All remedies currently available under the Maine Human Rights Act, including a private right of action and attorney's fees, are available for these persons.

### **LD 1336 An Act To Discontinue the Use of the Terms "Handicap," "Handicapped" and "Hearing Impaired" in State Laws, Rules and Official Documents**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 348 amends the Maine Revised Statutes to remove the terms "handicap," "handicapped" and "hearing impaired" where they are used to describe a person or set of persons in the Maine Revised Statutes and directs all branches of State Government to discontinue the use of the terms. It directs the Department of Labor to monitor the progress of updating terminology in official documents across State Government. Chapter 348 requires the commissioner's office of each department of State Government to report to the Joint Standing Committee on Judiciary by December 1, 2021 regarding progress on the update and to provide a reasonable time frame for completion of the update.

### **LD 1345 An Act To Implement the Recommendations of the Right To Know Advisory Committee**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 313 implements recommendations of the Right To Know Advisory Committee.

## JOINT STANDING COMMITTEE ON JUDICIARY

Chapter 313 caps the fee to cover the cost of copying a public record at no more than 10¢ per page for a standard 8 1/2 inches by 11 inches black and white copy and clarifies that a per-page copy fee may not be charged for records provided electronically.

Chapter 313 adds a member to the Right To Know Advisory Committee who has legal or professional experience in the field of data and personal privacy, to be appointed by the Governor.

Chapter 313 makes the following changes to the requirements for training under the Freedom of Access Act.

1. It clarifies that an official must complete training within 120 days of assuming the duties of the position.
2. It expands the list of municipal officials required to complete training to include code enforcement officers, town managers and administrators and planning board members and clarifies that deputies of municipal clerks, treasurers, managers or administrators, assessors and code enforcement officers must also complete the training.
3. It clarifies that school superintendents, assistant superintendents and school board members are required to complete training.

Chapter 313 includes a Mandate Preamble.

### **LD 1346 An Act To Implement the Recommendations of the Right To Know Advisory Committee Concerning Fees Charged for Responding to Public Records Requests**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 375 implements recommendations of the Right To Know Advisory Committee by making the following changes to the laws concerning the fees that an agency or official may charge to cover the costs of responding to public records requests.

1. It extends the time period for which an agency or official may not charge a fee for searching for, retrieving and compiling a requested public record from the first hour of staff time per request to the first two hours of staff time per request.
2. It increases the fee that may be charged after the first two hours of staff time per request for searching for, retrieving and compiling a requested public record from not more than \$15 per hour to not more than \$25 per hour.
3. It specifies that an agency may retain any fee or cost charged.