

MAINE STATE LEGISLATURE

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STATE OF MAINE
130TH LEGISLATURE
SECOND REGULAR SESSION



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

JOINT STANDING COMMITTEE ON JUDICIARY

July 2022

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LD 1686 An Act to Establish Public Defender Positions and Provide Support for Indigent Legal Services Providers

ENACTED LAW SUMMARY

Public Law 2021, chapter 720 establishes and funds five public defender positions to be dispatched in the State where needed, provides money for legal research by attorneys providing services to the Maine Commission on Indigent Legal Services and adds funding for attendance at training events provided by the Maine Commission on Indigent Legal Services.

LD 1696 An Act To Clarify and Recodify Maine’s Protection from Abuse Statutes

ENACTED LAW SUMMARY

Public Law 2021, chapter 647 clarifies and recodifies Maine’s protection from abuse statutes to make the process more accessible to the public, the legal community and the judiciary. Established case law is incorporated for judicial economy and clarity for self-represented litigants and the legal community. Chapter 647 does not make any substantive changes to existing law and is intended solely as reorganization of the existing statutes. Public Law 2021, chapter 647 takes effect January 1, 2023.

LD 1772 An Act To Amend the Remote Meeting Law in Maine’s Freedom of Access Act

ENACTED LAW SUMMARY

Public Law 2021, chapter 666 amends the law governing remote participation in public meetings in the Freedom of Access Act to remove the requirement that a remote meeting policy adopted by a public body must include an expectation that members of the public body be physically present. It allows the public body to limit public attendance at a proceeding solely to remote methods if there is an emergency or urgent situation that requires the public body to meet only by remote methods. It also clarifies that the remote participation policy of a public body applies to a board or committee within the jurisdiction of the public body unless the subordinate board or committee adopts its own remote participation policy.

LD 1774 An Act Clarifying the Rights to Legal Representation and To Communicate with Others for Individuals Subject to Guardianship

ENACTED LAW SUMMARY

Public Law 2021, chapter 500 clarifies within the Maine Probate Code that an adult for whom a guardian has been appointed retains the rights to engage an attorney for any reason and to communicate freely with counsel, the probate court, an ombudsman or any advocate for the adult subject to the guardianship. It also provides that the section of the Maine Probate Code prohibiting

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the guardian of an adult from restricting the adult’s ability to communicate, visit or interact with others unless certain statutory conditions are met applies to all adult guardianships, including those established before September 1, 2019.

LD 1786 An Act To Maintain Consistency among Maine’s Nondiscrimination Statutes

ENACTED LAW SUMMARY

Public Law 2022, chapter 553 makes the nondiscrimination provisions throughout the Maine Revised Statutes consistent to prohibit discrimination on the basis of actual or perceived race, color, sex, sexual orientation, gender identity, physical or mental disability, religion, ancestry or national origin, age or familial status. It clarifies language in the Maine Insurance Code related to nondiscrimination without making substantive changes to insurance rating.

LD 1804 An Act To Provide Consistency in the Laws Regarding Domestic Partners

ENACTED LAW SUMMARY

Public Law 2021, chapter 567 provides consistency throughout the Maine Revised Statutes by enacting as a subsection in the general words and phrases statute that applies to all of the Maine Revised Statutes the definition of “domestic partner” included in the Maine Uniform Probate Code. It repeals all other definitions of “domestic partner” and incorporates into the laws governing custody of the remains of deceased persons and governing anatomical gifts language from the Uniform Health Care Decisions Act that is used to determine who may act as a surrogate to make health care decisions. In circumstances in which evidence is required to verify the existence of a domestic partnership, those who have registered as domestic partners with the Department of Health and Human Services, Office of Data, Research and Vital Statistics need only show that they are registered. Chapter 567 also directs the Department of Labor to adopt rules to provide guidance on the application of the laws governing family medical leave to domestic partners.

LD 1831 An Act To Improve the Child and Family Court Process

ENACTED LAW SUMMARY

Public Law 2021, chapter 723 authorizes family law magistrates to hear and dispose of all interim orders in actions involving divorce, legal separation, parentage or parental rights regardless of whether both parents consent. It requires the Chief Justice of the Supreme Judicial Court, the Chief Justice of the Superior Court and the Chief Judge of the District Court to establish annual training and education designed to inform justices, judges and family law magistrates about domestic violence and child abuse, neglect and maltreatment issues.