February 1, 2021

Sen. Anne Carney, Chair  
Rep. Thom Harnett, Chair  
Joint Standing Committee on Judiciary  
Maine State Legislature  
100 State House Station  
Augusta, ME 04333

Re: LD 32, An Act Regarding Remote Participation in Public Proceedings

Dear Sen. Carney, Rep. Harnett, and Members of the Judiciary Committee:

On behalf of the Maine State Bar Association, we appreciate the opportunity to provide comments in support of LD 32.

About us. The Maine State Bar Association is a statewide trade association chartered in 1891 by the Maine Legislature. The Association currently represents approximately 3000 attorneys in the State in both public service and private practice. The Association maintains 28 separate sections covering nearly every field of law practiced in Maine, from Administrative Law to Workers’ Compensation Law.

LD 32 Promotes Access to Justice. As the Committee has heard us say in the past, a key mission of the Maine State Bar Association is ensuring that Mainers have access to justice. LD 32 fits squarely within this mission to the extent it seeks to maintain the current ability of Maine people to participate remotely in public meetings held by the governing bodies, committees, and other agencies of local government, including county government, municipal government, and special purpose districts such as water and sewer districts. As we have learned during the course of the COVID-19 pandemic, government agencies can effectively operate on a remote basis, and these remote meetings have allowed more Mainers to participate from their homes or offices than was possible when meetings were held in person. This is particularly important for Mainers unable to attend an in-person meeting due to physical disability, lack of transportation, the challenge of traveling great distances, or limitations related to childcare or other family matters.

Passage of LD 32 is important because the ability of local government to hold remote meetings is something unique to the state of emergency surrounding the COVID-19 pandemic. If and when the state of emergency ends, if LD 32 or something similar does not pass, meetings of local government bodies will need to revert to being in-person only. By contrast, passing LD 32 will allow remote meetings to continue, which is good for Maine people and their ability to access their government.
Conclusion. We hope this brief testimony is helpful, and if you have questions or need anything further, please let us know. Again, we hope you will support LD 32.

Sincerely,

Kelly McDonald
President, Board of Governors

cc: Angela Armstrong, Executive Director
    James I. Cohen, Verrill Dana, LLP