

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Expand Rights for Maine Families**

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

**Sec. 1. 22 MRSA c. 712** is enacted to read:

### **CHAPTER 712**

### **REGISTERED DOMESTIC PARTNERSHIPS**

#### **§ 3041. Definition**

As used in this chapter, "registered domestic partners" means domestic partners who are registered in accordance with section 2710.

#### **§ 3042. Rights and obligations**

**1. Rights; responsibilities.** Registered domestic partners have the same rights, protections and benefits and are subject to the same responsibilities, obligations and duties under law, whether they derive from statute, administrative rule, court rule, government policy, common law or any other provision or source of law, as are granted to and imposed upon spouses.

**2. Former registered domestic partners.** Former registered domestic partners have the same rights, protections and benefits and are subject to the same responsibilities, obligations and duties under law, whether they derive from statute, administrative rule, court rule, government policy, common law or any other provision or source of law, as are granted to and imposed upon former spouses.

**3. Surviving registered domestic partner.** A surviving registered domestic partner, following the death of the other partner, has the same rights, protections and benefits and is subject to the same responsibilities, obligations and duties under law, whether they derive from statute, administrative rule, court rule, government policy, common law or any other provision or source of law, as are granted to and imposed upon a surviving spouse.

**4. Children.** The rights and obligations of registered domestic partners with respect to a child of either of them are the same as those of spouses. The rights and obligations of former or surviving registered domestic partners with respect to a child of either of them are the same as those of former or surviving spouses.

**5. Federal law.** To the extent that provisions of the laws of this State adopt, refer to or rely upon provisions of federal law in a way that otherwise would cause registered domestic partners to be treated differently than spouses, registered domestic partners must be treated by the laws of this State as if federal law recognized a domestic partnership in the same manner as the laws of this State.

**6. Nondiscrimination.** Registered domestic partners have the same rights regarding nondiscrimination as those provided to spouses. A public agency in this State may not discriminate against any person or couple on the ground that the person is a registered domestic partner rather than a spouse or that they are registered domestic partners rather than spouses. Where necessary to implement the rights of domestic partners under this chapter, gender-specific terms referring to spouses must be construed to include domestic partners.

**7. No effect on other recognitions of relationships.** This chapter is not intended to repeal or adversely affect any other ways in which relationships between adults may be recognized or given effect in this State or the legal consequences of those relationships, including, but not limited to, marriage, enforcement of powers of attorney and appointment of conservators or guardians.

**Sec. 2. Maine Revised Statutes headnote amended; revision clause.** In the Maine Revised Statutes, Title 22, Part 6, in the Part headnote, the words "births, marriages and deaths" are amended to read "births, marriages, registered domestic partnerships and deaths" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

**Sec. 3. Effective date.** This Act takes effect January 1, 2010.

## SUMMARY

This bill provides that registered domestic partners have the same rights, protections and benefits and are subject to the same responsibilities, obligations and duties under law, whether they derive from statute, administrative rule, court rule, government policy, common law or any other provision or source of law, as are granted to and imposed upon spouses.

The delayed effective date of January 1, 2010 is included to provide time for preparations for the change in the law.