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2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002
(207) 287-1440
TTY: (207) 287-4469

Jennifer L. Poirier

78 Palmer Road
Skowhegan, ME 04976
Phone: (207) 399-9784
Jennifer.Poirier@legislature.maine.gov

Testimony of Rep. Jennifer Poirier introducing
**LD 492, "RESOLUTION, Proposing an Amendment to the Constitution of
Maine to Provide for Parental Rights"**
Before the Joint Standing Committee on Judiciary

March 3, 2025

**Senator Carney, Representative Kuhn, and esteemed members of the Joint Standing
Committee on Judiciary,**

My name is Jennifer Poirier, and I proudly represent the community of Skowhegan. Today, I introduce **LD 492**, "RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide for Parental Rights".

LD 492 is a commonsense bill that affirms parental rights as fundamental. Parents are a child's first and strongest protection, and the best way to safeguard children is by empowering their parents. This bill gives Maine parents a voice, allowing them to vote on codifying parental rights as the highest legal protection recognized in our nation's legal system.

Eighteen states have already enshrined parental rights as fundamental, and in each of them:

- Child abuse and neglect continue to be prosecuted.
- Parental rights are terminated when the state demonstrates a compelling interest and no less restrictive means to protect the child.
- Public schools remain strong, and parental rights do not interfere with classroom operations.
- Existing laws on homeschooling, compulsory attendance, and parent-child relationships remain unchanged.

If enacted, **LD 492 will provide Maine parents with the highest level of legal protection**—affirming their right to raise, educate, and care for their children, make medical decisions, and ensure their well-being—while still allowing the government to intervene when necessary to protect children and maintain public education.

The U.S. Supreme Court has long recognized parental rights as fundamental. In *Wisconsin v. Yoder* (1972), the Court stated:

“[T]his case involves the fundamental interest of parents, as contrasted with that of the State, to guide the religious future and education of their children. The history and culture of Western civilization reflect a strong tradition of parental concern for the nurture and upbringing of their children. This primary role of the parents in the upbringing of their children is now established beyond debate as an enduring American tradition.”

Similarly, in *Troxel v. Granville* (2000), the Court reaffirmed:

“The liberty interest at issue in this case -- the interest of parents in the care, custody, and control of their children -- is perhaps the oldest of the fundamental liberty interests recognized by this Court.”

LD 492 ensures that every parent in Maine—regardless of economic status, race, gender, or political beliefs—has their constitutional rights protected. I urge the committee to pass this bill and give Maine voters the opportunity to decide on this essential protection for families.

For further information, including links to state laws and court cases, please visit:

ParentalRights.org

Thank you for your time and consideration and I am happy to answer any questions you may have.

Jennifer Poirier
State Representative