

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

FIRST REGULAR SESSION
December 6, 2006 to June 21, 2007

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 20, 2007

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Penmor Lithographers
Lewiston, Maine
2007

7. Executive head. This State's "executive head of the state human services administration with ultimate responsibility for the child welfare program" is the commissioner.

See title page for effective date.

CHAPTER 256

H.P. 305 - L.D. 389

An Act To Allow the District Court To Enter Parental Rights and Responsibilities Orders in Child Protection Proceedings

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

Sec. 1. 22 MRSA §4036, sub-§1-A is enacted to read:

1-A. Parental rights and responsibilities orders. Upon request of a parent, the court may enter an order pursuant to Title 19-A, section 1653 if the court determines that the order will protect the child from jeopardy and is in the child's best interest as defined in Title 19-A, section 1653, subsection 3. If the court enters an order pursuant to this subsection:

A. The order has the same force and effect as other orders entered pursuant to Title 19-A, section 1653;

B. The order is subject to modification or termination in the same manner as other orders entered pursuant to Title 19-A, section 1653;

C. Any person who requests a modification or termination of the order must serve the department with the motion or petition;

D. The department is not a party to proceedings to modify or terminate the order unless otherwise ordered by the court. This paragraph may not be construed to limit the department's ability to request a judicial review pursuant to section 4038, subsection 2;

E. Notwithstanding section 4038, the court may order that further judicial reviews may not be held unless requested by a party and, notwithstanding section 4038-B, may order that further permanency planning hearings may not be held; and

F. The court may terminate the appointments of the guardian ad litem and attorneys for parents and guardians, in which case the attorneys and

guardian ad litem have no further responsibilities to their clients or the court.

See title page for effective date.

CHAPTER 257

H.P. 306 - L.D. 390

An Act To Allow the District Court To Adjudicate Parentage in Child Protective Custody Cases

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

Sec. 1. 22 MRSA §4005-F is enacted to read:

§4005-F. Determinations of parentage

As part of a child protection proceeding, the District Court may determine parentage of the child. Title 19-A, sections 1558 to 1564 apply to determinations of parentage in a child protection proceeding.

This section may not be construed to limit the right of a person to file an action pursuant to Title 19-A, chapter 53, subchapter 1 to enforce a father's obligations pursuant to that subchapter.

See title page for effective date.

CHAPTER 258

H.P. 934 - L.D. 1326

An Act To Increase Civil Penalties for Violations of Fire Code Laws Applicable to Fire Escape Installment and Maintenance

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

Sec. 1. 25 MRSA §2453, as amended by PL 2001, c. 31, §1, is repealed and the following enacted in its place:

§2453. Fire escapes; appeals

1. Certain buildings; more than one way of egress. Each story above the first story of a building used as a schoolhouse, orphan asylum, hospital for the mentally ill, reformatory, opera house, hall for public assemblies, hotel or tenement house occupied by more than 2 families or store in which more than 10 persons are employed above the first story must be provided with more than one way of egress, by stairways on the inside or fire escapes on the outside of such a building. The stairways and fire escapes must be constructed, in a number or of a size and in a location so as to give