

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 446

H.P. 347 House of Representatives, February 19, 1987  
On Motion of Representative PARADIS of Augusta referred to the Committee on Judiciary. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk  
Presented by Representative ANTHONY of South Portland.  
Cosponsored by Senator GAUVREAU of Androscoggin and Representative MARSANO of Belfast.

STATE OF MAINE

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-SEVEN

AN ACT to Amend the Divorce Laws Regarding  
Custody to the Department of Human  
Services.

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

19 MRSA §752, sub-§9, as enacted by PL 1983, c. 813, §5, is repealed and the following enacted in its place:

9. Department of Human Services. When the Department of Human Services has been granted parental rights and responsibilities for a child under this section, Title 22, chapter 1071, shall apply regarding subsequent reviews and shall govern further rights and responsibilities of the department, the parents, the child and any other party.

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STATEMENT OF FACT

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The 1983 changes to the Maine Revised Statutes, Title 19, section 752, subsection 6, limited orders of rights and responsibilities to other than a parent to situations in which there is a finding of jeopardy as defined in the child protection laws, specifically Title 22, section 4002, subsection 6.

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When a child comes into the custody of the department under the divorce laws, the department provides the same services not only for the child, but also for the parents and other parties, as for other children and families under the whole of Title 22, chapter 1071.

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This revision in Title 19, section 752, subsection 9, clarifies and specifically authorizes those rights and responsibilities.

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