

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 1292

H.P. 916

House of Representatives, April 11, 1995

An Act to Require That Grandparent Visitation Rights Be Included in Divorce Decrees.

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative CAMERON of Rumford.
Cosponsored by Representatives: DiPIETRO of South Portland, FISHER of Brewer,
GIERINGER of Portland, KEANE of Old Town, LANE of Enfield, LEMONT of Kittery,
LOVETT of Scarborough, LUMBRA of Bangor, MARSHALL of Eliot, MURPHY of
Berwick, PINKHAM of Lamoine, RICE of South Bristol.

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

2
3 **Sec. 1. 19 MRSA §752, sub-§6**, as enacted by PL 1983, c. 813,
4 §5, is amended to read:

6 **6. Order.** The order of the court shall award allocated
7 parental rights and responsibilities, shared parental rights and
8 responsibilities or sole parental rights and responsibilities,
9 according to the best interest of the child. ~~Where~~ When the
10 parents have agreed to an award of shared parental rights and
11 responsibilities or so agree in open court, the court shall make
12 that award unless there is substantial evidence that it should
13 not be ordered. The court shall state in its decision the reasons
14 for not ordering a shared parental rights and responsibilities
15 award agreed to by the parents.

16 The court may award reasonable rights of contact with a minor
17 child to any 3rd persons.

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19
20 The court shall award reasonable rights of visitation and contact
21 with a minor child to the child's grandparents. "Grandparent"
22 has the same meaning as set forth in section 1002, subsection 1.

23
24 The court may award parental rights and responsibilities with
25 respect to the child to a 3rd person, some suitable society or
26 institution for the care and protection of children or the
27 Department of Human Services upon a finding that awarding
28 parental rights and responsibilities to either or both parents
29 will place the child in jeopardy as defined in Title 22, section
30 4002, subsection 6.

31 Every final order issued under this section shall ~~shall~~ must contain:

32
33 A. A provision for child support or a statement of the
34 reasons for not ordering child support; and

35
36 B. A statement that each parent ~~shall have~~ has access to
37 records and information pertaining to a minor child,
38 including, but not limited to, medical, dental and school
39 records, whether or not the child resides with the parent,
40 unless that access is found not to be in the best interest
41 of the child or that access is found to be sought for the
42 purpose of causing detriment to the other parent. If that
43 access is not ordered, the court shall state in the order
44 its reasons for denying that access.
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STATEMENT OF FACT

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This bill requires the court to award reasonable rights of visitation and contact with a minor child to any of the child's grandparents in the divorce decree.