

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1136

H.P. 864

House of Representatives, February 22, 2001

An Act to Treat All Children with Dignity.

Reference to the Committee on Banking and Insurance suggested and ordered printed.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative FULLER of Manchester.
Cosponsored by Senator LONGLEY of Waldo and
Representatives: GREEN of Monmouth, KANE of Saco, McGLOCKLIN of Embden,
NUTTING of Oakland, PEAVEY of Woolwich, TWOMEY of Biddeford, Senators:
MITCHELL of Penobscot, TREAT of Kennebec.

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

Sec. 1. 14 MRSA §711 is amended to read:

§711. Action under laws governing support of a child born to an unwed mother; service of precept by constable or sheriff

A warrant issued by the District Court for an offense under the laws for the maintenance of ~~bastard-children~~ a child born to an unwed mother may be directed to and executed by a constable of any town within ~~his~~ the constable's county. If the accused has gone into another county before or after the warrant was issued, a sheriff or ~~his~~ deputy or a constable having the warrant may pursue and arrest ~~him~~ the accused in any county and carry ~~him~~ the accused to the county where the act complained of was committed. When such officer arrests a person to commit to the jail of ~~his~~ the officer's county, ~~he~~ the officer may convey ~~him~~ the person by the most convenient and suitable route, although it pass through other counties.

Sec. 2. 24-A MRSA §2833, sub-§2, as enacted by PL 1991, c. 200, Pt. B, §4, is amended to read:

2. Coverage. All group or blanket health insurance plans issued in accordance with the requirements of section 2832 must provide unmarried women certificate holders with the option of coverage of their children from the date of birth. A certificate holder who, pursuant to the laws of this State or any other state, has been adjudicated or has acknowledged himself to be the father of ~~an-illegitimate~~ a child born to an unwed mother must be given the option of coverage for that child from the date of his adjudication or acknowledgement of paternity. This optional coverage must be the same as that provided the children of a married certificate holder with family or dependent coverage.

Sec. 3. 37-B MRSA §505, sub-§1, ¶A, as amended by PL 1993, c. 427, §9, is further amended to read:

A. As used in this subsection, unless the context otherwise indicates, the following terms have the following meanings.

(1) "Child" means a person who is under the age of 18 years; over the age of 18 years but under the age of 20 years, regularly attending school; or over the age of 18 years and not attending school if, prior to reaching the age of 18 years, the child becomes or has become permanently incapable of self-support by reason of mental or physical defect, and who is:

(a) A natural, legitimate child of a veteran;

- 2 (b) A foster child of a veteran;
- 4 (c) A legally adopted child of a veteran;
- 6 (d) A stepchild, if a member of a veteran's
8 household either at the time of application or, in
10 the event of the veteran's death, at the time of
12 death, and who thereafter continues as a member of
14 the household; or
- 16 (e) ~~An--illegitimate--child~~ A child born to an
12 unwed mother, when a veteran has been judicially
14 ordered or decreed to contribute to that child's
16 support, or judicially decreed to be the putative
18 father, or has acknowledged under oath and in
20 writing that he is the father of the child.
- 22 (2) "Federally recognized period of conflict" means
24 World War I, April 6, 1917 to November 11, 1918, or to
26 March 31, 1920, if service was in Russia; World War II,
28 December 7, 1941 to December 31, 1946; Korean Conflict,
30 June 27, 1950 to January 31, 1955; the Vietnam War,
32 August 5, 1964 to May 7, 1975; and the Persian Gulf
34 War, August 7, 1990 to April 11, 1991.
- 36 (3) "Parent" means the father or mother of a veteran
38 with whom the veteran lived during that veteran's
40 minority and for whom that veteran would be legally
42 responsible under the laws of this State; or the foster
44 father or mother of the veteran.
- 46 (4) "Spouse" means the person currently legally
48 married to a living veteran or the widow or widower of
a deceased veteran who has not become the dependent of
another person.
- (5) "Veteran" means any person who served in the
United States Armed Forces during any federally
recognized period of conflict and was not dishonorably
discharged; is disabled and a resident of the State; or
is deceased and at time of death was a resident of the
State. A veteran of the Vietnam War must have served
on active duty for a period of more than 90 days unless
that veteran died in service, or was discharged for a
service-connected disability and any part of that
active duty service occurred after August 4, 1964 and
before May 7, 1975.

SUMMARY

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This bill removes from the Maine Revised Statutes the references to "illegitimate" or "bastard" child and substitutes the phrase "child born to an unwed mother."