

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND FOURTEENTH LEGISLATURE
FIRST REGULAR SESSION

December 7, 1988 to July 1, 1989

Chapters 1 - 502

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
SEPTEMBER 30, 1989

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

J.S. McCarthy Company
Augusta, Maine
1989

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND FOURTEENTH LEGISLATURE

1989

CHAPTER 272

H.P. 1036 - L.D. 1447

An Act to Provide Visitation and Custody Rights to Grandparents in Cases other than Divorce

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

Sec. 1. 19 MRSA §214, sub-§6, as enacted by PL 1983, c. 813, §1, is amended to read:

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

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

The court may award parental rights and responsibilities to a 3rd person, a society or institution for the care and protection of children, or to the Department of Human Services upon a finding that awarding parental rights and responsibilities to either or both parents will place the child in jeopardy as defined in Title 22, section 4002, subsection 6.

Every final order issued under this section shall contain:

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

B. A statement that each parent shall have access to records and information pertaining to a minor child, including but not limited to, medical, dental and school records, whether or not the child resides with the parent, unless that access is found not to be in the best interest of the child or that access is found to be sought for the purpose of causing detriment to the other parent. If that access is not ordered, the court shall state in the order its reasons for denying that access.

Sec. 2. 19 MRSA §581, sub-§6, as enacted by PL 1983, c. 813, §2, is amended to read:

6. Order. Upon petition under subsection 3, paragraph B, the order of the court shall award allocated parental rights and responsibilities, shared parental rights and responsibilities or sole parental rights and responsibilities, according to the best interest of the child. Where the parents have agreed to an award of shared parental rights and responsibilities or so agree in open court, the court shall make that award unless there is substantial evidence that it should not be ordered. The court shall state in its decision the

reasons for not ordering a shared parental rights and responsibilities award agreed to by the parents.

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

The court may award parental rights and responsibilities to a 3rd person, a society or institution for the care and protection of children, or to the Department of Human Services upon a finding that awarding parental rights and responsibilities to either or both parents will place the child in jeopardy as defined in Title 22, section 4002, subsection 6.

Every final order issued under this section shall contain:

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

B. A statement that each parent shall have access to records and information pertaining to a minor child, including but not limited to, medical, dental and school records, whether or not the child resides with the parent, unless that access is found not to be in the best interest of the child or that access is found to be sought for the purpose of causing detriment to the other parent. If that access is not ordered, the court shall state in the order its reasons for denying that access.

See title page for effective date.

CHAPTER 273

H.P. 1046 - L.D. 1457

An Act Concerning Solid Waste Management

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

38 MRSA §1310-F, sub-§2, as enacted by PL 1987, c. 517, §25, is amended to read:

2. Eligibility. Any municipality owning a solid waste landfill for which a remediation or closure plan has been adopted is eligible for grants. A municipality, which has acted to close its solid waste landfill or to remedy environmental and public health hazards posed by the landfill prior to the award of a grant under this section, but after January 1, 1983, is also eligible for reimbursement of past and future costs consistent with the plan adopted under this subchapter. Any interest paid by a municipality on a municipal bond issued to raise funds for remediation and closure activities during this period is a cost eligible for reimbursement under this section. The board ~~may apportion~~ shall use at least 1/3 of the available funds in an equitable manner between municipalities eligible for grants under this subsection and those for municipalities eligible for reimbursement of closure and remediation costs under this subsection until all those municipalities have been reimbursed.

See title page for effective date.