

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 TWENTIETH LEGISLATURE

FIRST SPECIAL SESSION
November 13, 2002 to November 14, 2002

ONE HUNDRED AND TWENTY-FIRST LEGISLATURE

FIRST REGULAR SESSION
December 4, 2002 to June 14, 2003

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
FEBRUARY 13, 2003

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 13, 2003

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

Penmor Lithographers
Lewiston, Maine
2003

CHAPTER 25**H.P. 642 - L.D. 865****Resolve, Directing the Family Law Advisory Commission To Study and Report on the Uniform Parentage Act and Similar Laws and Proposals**

Whereas, current Maine law is inadequate to address issues relating to parental rights and responsibilities, ethics, inheritance and property rights when genetic, biological and factual parentage can not be determined in traditional ways; and

Whereas, Maine courts are in need of legislative guidance respecting the determination of parental and other rights and responsibilities in such cases; and

Whereas, the Legislature is desirous of protecting children in such nontraditional circumstances from unnecessary litigation, uncertainty and insecurity; and

Whereas, the Family Law Advisory Commission is authorized to review and make recommendations on family law issues generally under the Maine Revised Statutes, Title 19-A, section 351 et seq. but has not yet addressed issues relating to children conceived through nontraditional means and when parentage is questioned; now, therefore, be it

Sec. 1. Study. Resolved: That the Family Law Advisory Commission established under the Maine Revised Statutes, Title 5, section 12004-I, subsection 52-A is directed to conduct a comprehensive study of the Uniform Parentage Act and similar laws and proposals; and be it further

Sec. 2. Report. Resolved: That the Family Law Advisory Commission shall submit a report no later than January 1, 2004, together with any necessary implementing legislation, for presentation to the Second Regular Session of the 121st Legislature. The Family Law Advisory Commission is authorized to submit legislation related to its report to the Second Regular Session of the 121st Legislature.

See title page for effective date.

CHAPTER 26**H.P. 1117 - L.D. 1526****Resolve, Regarding Legislative Review of Chapter 15: Batterer Intervention Program Certification, a Major Substantive Rule of the Department of Corrections**

Emergency preamble. Whereas, Acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Adoption. Resolved: That final adoption of Chapter 15: Batterer Intervention Program Certification, a provisionally adopted major substantive rule of the Department of Corrections that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

Emergency clause. In view of the emergency cited in the preamble, this resolve takes effect when approved.

Effective May 16, 2003.

CHAPTER 27**S.P. 291 - L.D. 896****Resolve, To Establish a System for Electronic Filing of Death Certificates**

Sec. 1. Electronic death certificate filing system. Resolved: That the Department of Human Services, Bureau of Health shall convene an advisory committee to develop a plan for establishing and funding an electronic death certificate filing system in the State. The bureau shall invite representatives of the following organizations to participate in the advisory committee: each of the 2 statewide associations of funeral directors, a statewide association of allopathic physicians, a statewide association of osteopathic physicians, a statewide association of municipal clerks and the Office of Chief Medical Examiner. The advisory committee shall report to the