

# MAINE STATE LEGISLATURE

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HELEN T. GINDER, DIRECTOR  
HAVEN WHITESIDE, ASST. DIRECTOR  
DAVID ELLIOTT  
MARTHA FREEMAN  
CHRISTOS GIANOPOULOS  
WILLIAM T. GLIDDEN, JR.

STATE OF MAINE  
OFFICE OF LEGISLATIVE ASSISTANTS  
ROOM 101  
STATE HOUSE, STATION 13  
AUGUSTA, MAINE 04333  
TEL.: (207) 289-2486

CHRISTINE HOLDEN  
SARAH HOOKE  
JULIE JONES  
EDWARD POTTER  
LARS RYDELL  
WILLIAM SAUFLEY  
JOHN SELSER

ONE HUNDRED AND ELEVENTH LEGISLATURE  
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE  
BILL SUMMARIES  
JUNE 1984

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees of the Maine Legislature, covering the Second Regular Session of the 111th Legislature. The summaries are arranged alphabetically, and indexed separately by committee.



<u>I.D</u>	<u>TITLE</u>	<u>SPONSOR</u>	<u>DISPOSITION</u>
2159	AN ACT TO CLARIFY AND MAKE CONSISTANT THE RULES OF CONSTRUCTION REGARDING GENDER USED IN THE MAINE REVISED STATUTES ANNOTATED	Pray	INDEF. PP

SUMMARY: This bill was never referred to committee, but reference to the Judiciary Committee had been recommended. It sought to repeal a provision of the new Education Revision which establishing a rule of construction which stated that words of the masculine gender do not include the feminine gender unless they are part of an occupational title. This rule of construction was enacted in an attempt to make the education revision gender neutral.

2162	AN ACT TO REPLACE REFERENCES TO REGIONAL PRESIDING JUSTICE WITH CHIEF JUSTICE OF THE SUPERIOR COURT	Trafton	PL 1983, c. 688
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SUMMARY: This new draft of LD 1850 eliminated references to Regional Presiding Justices, positions which have been replaced by a Chief Justice of the Superior Court by Public Law 1983, chapter 269. This bill also clarified outdated references to judicial regions and redefined the authority of the Chief Justice of the Superior Court.

2163	AN ACT RELATING TO THE TIME OF PASSAMAQUODDY TRIBE TRUST LAND DESIGNATION	Cashman	PL 1983, c. 660
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SUMMARY: This new draft of LD 1822 extends the time for designation of Passamaquoddy Tribe Trust Land from January 1, 1985 to January 1, 1986.

2166	AN ACT TO PROMOTE FAMILY PERMANENCY	Thompson	PL 1983, c. 772
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SUMMARY: This bill was the result of the work of a multidisciplinary committee convened by the Commissioner of the Department of Human Services to address problems regarding securing termination of parental rights of children for the purpose of placement for adoption. The purpose of this bill was to assure that children whose lives have been disrupted are provided safe permanent homes as soon as possible.

It establishes for the first time a purposes section to the Revised Statutes, chapter 1071, subchapter VI, dealing with termination of parental rights. The purpose of this section is to stress the movement toward freeing children for adoption as soon as it is clear that the children will not be able to return to their parents. The section further indicates that the subchapter on termination of parental rights should be liberally construed to serve and protect the best interests of the children involved.

It provides for an expedited appeal for orders terminating parental rights in order to shorten the approximately two year process for appeals for children who have been freed for adoption through termination proceedings.

It provides for application of the provisions of the Interstate Compact on Placement of Children and admissability of Compact reports in evidence.

It specifies parental responsibilities for rehabilitation and reunification. The intent is to firmly establish that the parents of any child placed in the custody of the Department of Human Services have a responsibility for making good faith efforts to rehabilitate themselves and reunify their family. It also clarifies the department's responsibilities in working with the parents to assist them in rehabilitation and reunification, as well as the conditions under which the department may discontinue its efforts to rehabilitate and reunify the parents.

It amends the standard for termination fo parental rights as follows:

1. It brings best interest of the child forward as the first consideration the court must make.
2. It further requires a finding that either:
  - (i) The parent is unwilling or unable to protect the child from jeopardy and these circumstances are unlikely to change within a time which is reasonably calculated to meet the child's needs;
  - (ii) The parent has been unwilling or unable to take responsibility for the child within a time which is reasonably calculated to meet the child's needs;
  - (iii) The child has been abandoned; or
  - (iv) The parent has failed to make a good faith effort to rehabilitate and reunify with the child.

2185 AN ACT TO AMEND THE LAWS    Brannigan  
REGARDING BAIL

Replaced by new draft LD 2439