

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
117TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
JUDICIARY

AUGUST 1995

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Sen. Joan M. Pendexter  
Sen. Sean F. Faircloth*

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**Staff:**

*Margaret J. Reinsch, Legislative Analyst*

*Office of Policy and Legal Analysis  
Room 101/107/135, 13 State House Station  
Augusta, ME 04333  
(207)287-1670*

*\*Denotes Chair*



**Maine State Legislature  
OFFICE OF POLICY AND LEGAL ANALYSIS**

State House Station 13, Augusta, Maine 04333  
Telephone (207) 287-1670  
Telecopier (207) 287-1275

**ONE HUNDRED AND SEVENTEENTH LEGISLATURE  
FIRST REGULAR SESSION**

**SUMMARY OF LEGISLATION BEFORE  
THE JOINT STANDING COMMITTEES**

**AUGUST 1995**

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees of the Maine Legislature. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries. The publication, History and Final Disposition of Legislative Documents, is helpful in determining to which committee any particular bill was referred.

In this document, the committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. All adopted amendments are listed, by paper number, together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various categories of final action are abbreviated as follows:

<i>CARRIED OVER</i>	<i>Bill carried over to Second Session</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House &amp; Senate disagree; bill died</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not to Pass report accepted</i>
<i>P&amp;S XXX</i>	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of enacted Resolve</i>
<i>UNSIGNED</i>	<i>Not signed by Governor within 10 days</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

These summaries were prepared by the analyst or analysts assigned to the committee. If more detailed information is needed on a bill, contact the committee analyst.

5581LHS

**SUMMARY**

This bill would have permitted grandparents to be awarded parental rights and responsibilities in any proceeding when those rights will be awarded, including parental separation, divorce, surrender and release for adoption, termination of parental rights and child protective proceedings. The bill would have required a petition by grandparents for visitation rights to be considered a motion to intervene in proceedings when parental rights and responsibilities are determined.

COMMITTEE AMENDMENT "A" (H-210) is the Minority Report. It replaces the bill. It allows a grandparent to petition for rights of visitation and access even after the parents' rights have been terminated, but only until the child's adoption is finalized. Any rights granted under the Grandparents Visitation Act or the intervenor provisions of the child protection laws terminate upon finalization of the adoption. The court must give notice of the finalization to grandparents who have notified the court that they have rights of visitation or access.

HOUSE AMENDMENT "A" TO COMMITTEE AMENDMENT "A" (H-379) replaces the Committee Amendment. It allows a grandparent to petition for rights of visitation and access even after the parents' rights have been terminated, but only until the child is placed for adoption. Any rights granted under the Grandparents Visitation Act or the intervenor provisions of the child protection laws are suspended when the child is placed for adoption. The department must give notice of the finalization to grandparents who have notified the court that they have rights of visitation or access. The amendment allows for prospective adoptive parents to independently facilitate contact between a child and a grandparent.

**LD 486**      **An Act Terminating Parental Child Support Obligation When the Child Attains 18 Years of Age**      ONTP

**SPONSOR(S)**                      **COMMITTEE REPORT**                      **AMENDMENTS ADOPTED**  
LANE                                      ONTP

**SUMMARY**

This bill would have provided that a parent's obligation to support that parent's child ends when the child reaches the age of 18 years. The bill would have repealed provisions enacted by Public Law 1989, c. 156 requiring continued support of offspring between the ages of 18 and 19 years who are secondary school students.

**LD 488**      **An Act Concerning Uncompensated Care Liability for Health Care Providers**      ONTP

**SPONSOR(S)**                      **COMMITTEE REPORT**                      **AMENDMENTS ADOPTED**  
HATHAWAY                              ONTP

**SUMMARY**

This bill would have provided immunity from liability for civil damages to providers of uncompensated health care. The immunity would have applied to health care providers and entities that sponsor, promote or organize health screening clinics or provide health screening services. The bill required disclosure to the patient prior to the service that there will be no direct compensation paid and that the patient waives the right to sue for civil damages. The bill also would have required a signed waiver from the patient.