



# HOUSE OF REPRESENTATIVES

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### **LD 1974 An Act to Affirm Parental Rights May 16, 2025**

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Senator Carney, Representative Kuhn, and fellow esteemed members of the Judiciary Committee:

My name is Elizabeth Caruso, and I live in Caratunk and represent House District 72 which includes 9 towns and 33 townships and territories in Somerset County. It is my honor to present LD 1974, "An Act to Affirm Parental Rights." This legislation addresses a fundamental aspect of our society: the primacy of parental rights in the upbringing of their offspring, their children.

LD 1974 recognizes parents as the joint natural guardians of their minor children. It seeks to reestablish that parents have the right and the responsibility to make decisions that are in the child's best interest without undue interference from the government. It's the parents, not governments or industries, who know and love their individual children best.

These rights, while seemingly self-evident, merit explicit legislative protection in our evolving social landscape to reestablish parental authority.

One of the most important aspects of this bill is the recognition that the liberty of a parent to direct their child's upbringing, education, and care is a fundamental right. The unique and intimate relationship between a parent and a child creates a high duty and a natural right which predates government itself.

As parents, we are the first and most influential teachers and caretakers for our children. There is no other individual who is more deeply connected and knowledgeable about a child, nor more heavily invested in a child than parents. As the primary caregiver since birth, we understand our child's needs, strengths, and weaknesses better than anyone else. This bill guarantees that the ability to make those critical decisions remains in the hands of parents, without unnecessary interference from outside forces – even the government or influential industries. Those outside the family unit should partner with parents to educate and care for the children. But certainly, the government should never treat parents as secondary authority or even an obstacle.

While LD 1974 upholds the fundamental rights of parents, it also provides a clear framework for the joint responsibility of both parents in making decisions for their children. It creates a stronger, more consistent legal foundation for families, and it ensures that children's best interests are upheld in a way that respects the vital role of both parents in their lives.

At the same time, LD 1974 acknowledges that the rights of parents are not absolute - especially when abuse, neglect, and custody issues are present. Of course, a court may still intervene, when necessary, in situations where the child's well-being is at risk. The "Construction" language includes a carefully crafted exception to account for a prior court's decision with regards to parental rights, responsibilities, and termination of parental rights. This exception balances parental rights with the paramount need to protect children from harm, ensuring the safety and welfare of the child. This we know is a critical aspect of family law.

Sadly, as our country and state are facing a mental health crisis, particularly among children and teens, our parents need to know if their children are experiencing any crisis they are previously unaware of. Although teachers and schools are valuable contributors to a child's education, it's the parents who have the ultimate responsibility for the direction, wellbeing, and matters concerning their minor children. Parents' roles should never be discarded or reduced in effect or practice.

Maine schools should be a place of collaboration between parents and teachers, counselors and other school personnel. We need laws that reaffirm parents' fundamental rights, that places parents firmly in charge of the upbringing, education and well-being of their minor child, while respecting and valuing the role of teachers, counselors, and schools. Nobody is more invested nor as directly and overarchingly responsible for a child's education, mental, emotional and physical health than a child's own parents.

Children are born to parents and into families that form society. The laws of a society should affirm the natural order of parents raising their children and reject the idea that children are property of the government.

In conclusion, LD 1974 is a carefully balanced and essential piece of legislation that reinforces the fundamental rights of parents in the upbringing and protection of their children. It promotes transparency, communication, and collaboration between parents and those who interact with their children, while also safeguarding the well-being of minors.

I thank you for thoughtful consideration of this commonsense and natural order bill.