

# MAINE STATE LEGISLATURE

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JUDICIARY

Reported by: Senator Longley

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STATE OF MAINE
SENATE
118TH LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to S.P. 257, L.D. 826, Bill, "An Act to Amend the Adoption Laws Relating to Consent and Forms for Surrender and Release"

Amend the bill by striking out all of section 5 and inserting in its place the following:

Sec. 5. 18-A MRSA §9-304, sub-§(a), as enacted by PL 1995, c. 694, Pt. C, §7 and affected by Pt. E, §2, is amended to read:

(a) Upon the filing of a petition for adoption of a minor child, when a petitioner is not a blood relative of the child, the court shall notify direct the department or a licensed child-placing agency, which shall investigate to conduct a study and make a report to the court. The study must include an investigation of the conditions and antecedents of the child to determine whether the child is a proper subject for adoption and whether the proposed home is suitable for the child. The department or agency shall submit the report to the court within 60 days. The court may order an adoption study, investigation and home study if a petitioner is a blood relative of the child.

(1) If the court has a report that provides sufficient, current information, the court may waive the requirement of a study and report.

(2) If the petitioner is a blood relative of the child, the court may waive the requirement of a study and report.'

COMMITTEE AMENDMENT

**SUMMARY**

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4 This amendment replaces section 5 of the bill to clarify and  
6 revise the law on the investigations, studies and reports that  
8 must be completed before the Probate Court finalizes adoptions.  
10 This amendment states what is required as part of the study and  
report that must be completed before the adoption petition is  
granted. This amendment also gives the Probate Court the  
discretion to waive the requirement that the study and report be  
done in 2 situations:

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1. If there is an existing report that contains information  
that the court determines is sufficient and current; or

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2. If a person petitioning to adopt a child is a blood  
relative of the child. This exception is current law.

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If the court determines that a study and report are  
required, the court shall direct the Department of Human Services  
or a licensed child-placing agency to submit the report to the  
court within 60 days.

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