

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 scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 881

H. P. 650 House of Representatives, February 16, 1971
Referred to Committee on Health and Institutional Services. Sent up for
concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Mills of Eastport.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

AN ACT Permitting Indian Homes to be Licensed as Foster Homes.

Be it enacted by the People of the State of Maine, as follows:

R. S., T. 22, § 3797, sub-§ 1-A, additional. Section 3797 of Title 22 of the Revised Statutes, as amended by sections 1 and 2 of chapter 401 of the public laws of 1965, is further amended by adding a new subsection 1-A to read as follows:

1-A. Indian reservations. Subsection 1 shall not apply to homes or day care facilities located upon Indian reservations. The department shall license such facilities upon the recommendation of the tribal council of the reservations on which they are located.

STATEMENT OF FACT

Over the years, a large number of Indian children have been committed to the Department of Health and Welfare, which has placed them in non-Indian foster homes outside of the Indian community.

At the present time there is no Passamaquoddy Indian home which holds a foster home license from the Department of Health and Welfare, and only one Penobscot home holding such a license.

As a result, Maine Indian children who are committed to the care of the Department of Health and Welfare are not only removed from their natural homes and communities, but are also alienated from their culture, often from their native language and may, therefore, suffer deep and life-long psychological damage.

Since the Department of Health presently measures potential Indian foster homes by essentially non-Indian standards and since the Department of Health and Welfare is unfamiliar with meaningful measurements of the quality of an Indian home, the responsibility for licensing a foster home on an Indian reservation should rest with the tribal councils of the reservations.