

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
107TH LEGISLATURE

HOUSE AMENDMENT "A" to H.P.1577, L.D.1880, Bill, "AN ACT
Relating to Protective Custody of Children under Health
and Welfare Laws."

Amend said Bill by striking out everything after the
enacting clause and inserting in place thereof the following:

'Sec. 1. 22 MRSA §3793, last sentence, as last repealed
and replaced by PL 1967, c. 159, §2, is amended to read:

Upon petition by the department, by the parent or parents or guardian of any
such child, or by the suitable person to whom such child may have been committed,
to the court making the commitment said court, after notice of not less than
10 days to the parents or guardian of such child, to the department or to the
suitable person to whom such child may have been committed, shall examine into
the conditions and welfare of the said child, receive testimony from any relative
who has been a foster parent of such child and, after hearing, may at any time
make such further order in relation to his care, custody, support and education
as justice may demand, and may discharge any child from custody or restore its
custody to its parents, or either of them, if satisfied that the objects of
commitment have been accomplished; provided no child whose parents have been
divested of all legal rights to said child under section 3792 or any other
provision of this chapter may be legally adopted prior to one year from the
date of the order or decree so divesting said parents.

Sec. 2. 22 MRSA §3798, last sentence, as last amended
by PL 1969, c. 85, §1, is further amended to read:
If, upon such hearing at which testimony may be received from any
relative who has been a foster parent of such child, it appears
that the petitioner is of sufficient ability and inclination
suitably to provide for maintenance and education of said child,
and that justice requires that its custody be restored to said
petitioner, the court shall so order, and the custody and control
of said child shall thereafter be given to said petitioner until
further order of the court.'

Statement of Fact

The purpose of this amendment is to allow any relative who
has been a foster parent of a child in protective custody
the opportunity to testify at a hearing involving the
custody of such child.

Filed by Mrs. Byers of Newcastle.

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