

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 523

H. P. 416

House of Representatives, February 16, 1977

On motion of Mr. Goodwin of South Berwick, referred to Committee on Health and Institutional Services. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mrs. Kany of Waterville.

Cosponsor: Mrs. Boudreau of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

**AN ACT to Require that Persons or Agencies Placing Unrelated Children
for Adoption be Licensed.**

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

19 MRSA § 539 is enacted to read:

§ 539. License required; placing children for adoption

No person, firm, corporation or association shall engage in, or assist in conducting a business of placing children for adoption or finding homes for children for adoption or otherwise disposing of children for adoption under 16 years of age, excepting children related to such persons by blood or marriage, or who have been legally adopted by such persons, without having in full force and effect pursuant to Title 22, section 7801, a license therefor.

Whoever advertises himself or holds himself out as placing or finding homes for children for adoption, or otherwise disposing of a child or children under 16 years of age for adoption, or whoever actually places or assists in placing in homes of persons other than relatives of the child or parent for adoption, or causes or assists in causing the adoption of one or more children under 16 years of age shall be deemed as engaged in or assisting in conducting a business of placing children for adoption or finding homes for children for adoption.

Whoever violates any provision of this section shall be punished by a fine of not more than \$500 or by imprisonment for not more than 11 months, or by both.

STATEMENT OF FACT

This legislation is virtually identical to certain provisions of Title 22, section 3797, which were mistakenly repealed in the 1975 special session. The proposed statute will prohibit the continuing practice of placement of unrelated children for adoption by unlicensed persons.