

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 1114
6

7 H.P. 866

House of Representatives, March 8, 1983

8 Submitted by the Office of Human Services pursuant to Joint Rule 24.

9 On Motion of Representative Hobbins of Saco referred to the Committee
on Judiciary. Sent up for concurrence and ordered printed.

10 EDWIN H. PERT, Clerk

Presented by Representative Hayden of Durham.

11 Cosponsors: Representative Benoit of So. Portland and Representative
Livesay of Brunswick.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT to Clarify the Rights of Putative
18 Fathers in Adoption Proceedings.
19

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

22 19 MRSA §532-C, 7th ¶, as amended by PL 1981, c.
23 369, §7, is further amended to read:

24 If the judge finds that the putative father is
25 the natural father and that he is willing and able to
26 protect the child from jeopardy, ~~or~~ and has not
27 willfully abandoned the child, ~~or~~ and has not refused
28 to take responsibility for the child, he may rule, if
29 it appears to be in the best interest of the child,
30 that the natural father has established parental
31 rights to that child. The natural father may then
32 either consent to the adoption of the child or
33 execute a surrender and release for the purpose of
34 adoption of the child. If the natural father will not

1 either consent to the adoption of the child or
2 execute a surrender and release for the purpose of
3 adoption of the child, the judge may grant the exclu-
4 sive care and custody of the child to the natural
5 father.

6 STATEMENT OF FACT

7 This bill would make clear that putative fathers
8 must meet all 3 tests specified in the law to estab-
9 lish parental rights, not just one.

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