

MAINE STATE LEGISLATURE

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1 (New Draft of H.P. 1499, L.D. 2112)
2 SECOND REGULAR SESSION
3

4 ONE HUNDRED AND TWELFTH LEGISLATURE
5

6 Legislative Document

No. 2262

7
8 H.P. 1605

House of Representatives, March 27, 1986

9 Reported by Representative Reeves from the Committee on Legal Affairs
10 and printed under Joint Rule 2. Original bill sponsored by Representative
11 Rydell of Brunswick. Cosponsored by Senator Bustin of Kennebec,
Representative Hoglund of Portland and Representative Rolde of York.

EDWIN H. PERT, Clerk

12
13 STATE OF MAINE
14

15 IN THE YEAR OF OUR LORD
16 NINETEEN HUNDRED AND EIGHTY-SIX
17

18 AN ACT Concerning Private Adoptions.
19

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

22 19 MRSA §537-A is enacted to read:

23 §537-A. Interstate placements

24 1. Adoption of child from another state. Any
25 person or agency who intends to bring a child to this
26 State from another state for the purpose of adoption
27 must provide Department of Human Services certifica-
28 tion of compliance with Title 22, chapter 1153, to
29 the Probate Court.

30 2. Adoption of child to be taken to another
31 state. Any person or agency who intends to remove a
32 child from this State for the purpose of adoption in
33 another state must obtain from the Department of Hu-
34 man Services certification of compliance with Title

1 22, chapter 1153, prior to the removal of the child
2 from this State.

3 3. Probate Court may not grant petition without
4 certification. The Probate Court may not grant a pe-
5 tion to adopt a child who has been brought to or is
6 to be removed from this State for the purpose of
7 adoption without Department of Human Services certi-
8 fication of compliance with Title 22, chapter 1153.

9 4. Advertisements must state that compliance re-
10 quired. Any person or agency who advertises in a
11 newspaper or other public medium within this State to
12 adopt a child must include in the advertisement that
13 any interstate adoption must be done in compliance
14 with Title 22, chapter 1153.

15 5. Civil violation. Any agency or person who
16 fails to comply with this section commits a civil vi-
17 olation for which a forfeiture of not less than \$100
18 and not more than \$5,000 may be adjudged.

19 STATEMENT OF FACT

20 The purpose of this new draft is to make clear in
21 the laws when compliance with the Interstate Compact
22 on the Placement of Children, the Maine Revised Stat-
23 utes, Title 22, chapter 1153, is necessary. These
24 compliance requirements are already contained in
25 state law, as well as the laws of 48 other states.

26 This new draft requires that anyone who adver-
27 tises to adopt a child must state in the advertise-
28 ment that compliance with the Maine Revised Statutes,
29 Title 22, chapter 1153, is required.

30 Anyone who fails to comply with this section may
31 be faced with a civil forfeiture of a minimum of \$100
32 and a maximum of \$5,000.

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