

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 658

S.P. 239

In Senate, March 9, 1987

Reference to the Committee on Judiciary suggested and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate
Presented by Senator GAUVREAU of Androscoggin.

Cosponsored by Senator BRANNIGAN of Cumberland,
Representative PINES of Limestone, Representative CLARK of
Brunswick.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

Resolve, to Establish the Commission
on Surrogate Parenting.

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4 Commission established; membership. Resolved:
5 That the Commission on Surrogate Parenting is estab-
6 lished to study the rights and responsibilities of
7 parties involved in surrogate parenting. The commis-
8 sion shall be comprised of 2 Senators to be appointed
9 by the President of the Senate, 2 members of the
10 House of Representatives to be appointed by the
11 Speaker of the House, the Attorney General or his
12 designee, one judge to be appointed by the Chief Jus-
13 tice of the Supreme Judicial Court, the Commissioner
14 of Human Services or his designee, one attorney, one
15 physician, one representative of hospital administra-
16 tion and 2 members of the public to be appointed by
17 the Governor; and be it further

1 **Duties. Resolved:** That the commission in its
2 study of rights and responsibilities relating to
3 surrogate parenting shall study the issues of written
4 contracts and agreements governing the surrogate
5 mother's pregnancy and concerning artificial insemination
6 or in vitro fertilization; testing of
7 surrogate mothers for genetic diseases or defects;
8 protocol for transfer of infants to prospective par-
9 ents and to govern custody disputes; establishing an
10 authority in a state agency to govern surrogate
11 parenthood agreements and contracts; establishment of
12 duties of physicians to disclose risks associated
13 with artificial insemination and in vitro
14 fertilization; provision for acknowledge of paternity
15 by surrogate's spouse and relinquishment of custody
16 by the surrogate mother; and other related issues;
17 and be it further

18 **Staff; compensation. Resolved:** That the commis-
19 sion shall be provided with all necessary independent
20 staff assistance and receive information about prob-
21 lems and services from all appropriate offices of
22 State Government.

23 Legislative members of the commission shall re-
24 ceive per diem compensation and all members shall re-
25 ceive compensation for travel and other necessary ex-
26 penses incurred in the performance of their duties;
27 and be it further

28 **Report. Resolved:** That the commission shall make
29 its report together with any necessary implementing
30 legislation to the Second Regular Session of the
31 113th Legislature; and be it further

32 **Appropriation. Resolved:** That the sum of \$10,000
33 is appropriated from the General Fund to the Legisla-
34 tive Account in fiscal year 1987-88 for the Commis-
35 sion on Surrogate Parenting to carry out the purposes
36 of this resolve.

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STATEMENT OF FACT

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This resolve establishes the Commission on Surrogate Parenting to study and report to the Second Regular Session of the 113th Legislature on the medical, legal and other issues involved on surrogate parenting.

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