

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 983

H.P. 684

House of Representatives, March 8, 1991

Received by the Clerk of the House on March 6, 1991. Referred to the Committee on Judiciary and 1400 ordered printed pursuant to Joint Rule 14.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

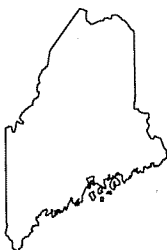
Presented by Representative ANTHONY of South Portland.

Cosponsored by Senator CONLEY of Cumberland, Representative CATHCART of Orono and Representative HASTINGS of Fryeburg.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

**An Act to Amend the Adoption Laws to Permit an Unmarried Person or
Persons to Adopt Children.**



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

2
3 Sec. 1. 19 MRSA §214, sub-§3, as enacted by PL 1983, c. 813,
4 §1, is amended to read:

6 3. Jurisdiction. If the ~~father-and-mother~~ parents of a
7 minor child are living apart, the Probate Court, Superior Court
8 or District Court in the county or division where either resides,
9 on complaint of either and after such notice to the other as the
10 court may order, may make an order awarding parental rights and
11 responsibilities with respect to the child.

12
13 The right to file a complaint shall ~~may~~ not be denied any person
14 for failure to meet any residency requirement if the person is a
15 member of the Armed Forces of the United States on active duty
16 stationed in this State or a parent of a child of such a member.
17 Such a member shall ~~be~~ is deemed to be a resident either of the
18 county in which the military installation or installations, or
19 other place at which he the person has been stationed, is located
20 or of the county in which he the person has sojourned.

21
22 The jurisdiction granted by this section shall ~~be~~ is limited by
23 the Uniform Child Custody Jurisdiction Act, sections 801 to 825,
24 if another state may have jurisdiction as provided in that Act.

26 Sec. 2. 19 MRSA §531, first ¶, as amended by PL 1983, c. 262,
27 §3, is further amended to read:

28
29 Any ~~husband-and-wife-jointly,--or-any-unmarried~~ person or 2
30 persons, resident or nonresident of the State, may petition the
31 Probate Court to adopt a person, regardless of age, and ~~for-a-to~~
32 change of his the name of the person to be adopted. The fee for
33 filing the petition shall ~~be~~ is \$10. Jurisdiction to grant the
34 adoption and change of name shall ~~be~~ is in the county where the
35 person to be adopted lives or the county where the petitioner
36 resides or the petitioners reside or in the county in which the
37 placing agency having custody of the child is located.

40
41
42 **STATEMENT OF FACT**

43
44 Current adoption laws permit an unmarried person to adopt a
45 child but not unmarried persons who may be living together other
46 than as husband and wife. This bill extends the right to adopt
47 to include such a situation. The bill also provides a mechanism
48 for allocation of parental rights and responsibilities in the
49 event that the adoptive parents no longer maintain their
50 relationship.