



115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1773

H.P. 1215

House of Representatives, May 3, 1991

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27. Reference to the Committee on Judiciary suggested and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative ANTHONY of South Portland. Cosponsored by Representative POULIOT of Lewiston, Representative HANLEY of Paris and Representative PARADIS of Augusta.

STATE OF MAINE

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

An Act to Require Parental Consent to Adoption before a Probate Judge.

(AFTER DEADLINE)

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	Be it enacted by the People of the State of Maine as follows:
2 4	Sec. 1. 19 MRSA 532 , sub- 55 , \mathbb{B} , as amended by PL 1981, c. 369, 2 , is further amended to read:
б	B. The Department of Human Services or by an adoption agency duly licensed in Maine; <u>or</u>
8	Sec. 2, 19 MRSA §532, sub-§5, ¶D, as amended by PL 1981, c.
10	369, §3, is further amended to read:
12	D. A public agency or duly licensed private agency to whom parental rights have been transferred under the law of
14	another state or country;-er.
16	Sec. 3. 19 MRSA §532, sub-§5, ¶E, as enacted by PL 1981, c. 369, §4, is repealed.
18	
20 20	STATEMENT OF FACT
22	This bill is in response to a recent Law Court decision
24	regarding consent to adoption outside the presence of a probate judge. <u>Porter v. Hoffman</u> , No. 5790 (Me. Apr. 11, 1991). The
26	provision allowing parents to consent to adoption of their children before a notary public rather than a judge is repealed
28	to protect parents from giving up rights without being fully informed of the effects of that decision.
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