

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

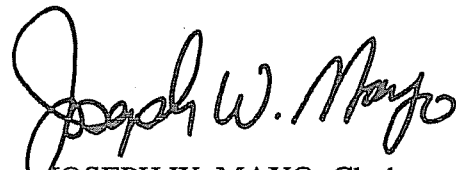
No. 290

H.P. 222

House of Representatives, February 4, 1993

An Act to Amend the Laws Governing Child Protection Orders.

Reference to the Committee on Judiciary suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative DORE of Auburn.
Cosponsored by Representative: KERR of Old Orchard Beach.

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

2
3 Sec. 1. 22 MRSA §4038, sub-§7,¶C, as enacted by PL 1991, c.
4 176, §3, is amended to read:

6 C. When 2 placements with the same parent have failed and
7 the child is returned again to the custody of the
8 department, whether voluntarily or involuntarily, the court
9 shall enter an order under section 4036, subsection 1,
10 paragraph G-1, unless the parent ~~---demonstrates---~~ that
11 reunification should be continued, return to the custody of
12 the department is:

14 (1) Voluntary;

16 (2) For a temporary period, specified in writing; and

18 (3) For the limited purposes of medical or respite
19 care as specified in writing and documented at the time
20 of the return to departmental custody.

22
24 **STATEMENT OF FACT**

26 This bill terminates the Department of Human Services'
27 responsibilities for family reunification and rehabilitation
28 under the Maine Revised Statutes, Title 22, section 4041, with
29 respect to any parent when 2 placements with that parent have
30 failed, regardless of whether the 3rd placement in departmental
31 custody is voluntary or involuntary. A limited exception is
32 provided when the placement is temporarily required for medical
or respite care.