

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 427

S.P. 148

In Senate, January 23, 1997

An Act to Prohibit the Selling of Children.

Reference to the Committee on Criminal Justice suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator KILKELLY of Lincoln.
Cosponsored by Representative MADORE of Augusta and
Senators: CATHCART of Penobscot, DAGGETT of Kennebec, NUTTING of Androscoggin,
Representatives: BUNKER of Kossuth Township, HATCH of Skowhegan, O'NEIL of Saco,
RINES of Wiscasset, SAXL of Portland.

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

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4 **Sec. 1. 17-A MRSA §554, sub-§1, ¶B-1**, as enacted by PL 1995, c. 694, Pt. C, §4 and affected by Pt. E, §2, is amended to read:

6 B-1. Being the parent, foster parent, guardian or other
8 person having the care and custody of the child, cruelly
 treats that child by abuse, neglect or extreme punishment; or

10 **Sec. 2. 17-A MRSA §554, sub-§1, ¶C**, as enacted by PL 1991, c.
12 672, §1, is amended to read:

14 C. Otherwise recklessly endangers the health, safety or
 welfare of a child under 16 years of age by violating a duty
16 of care or protection; or

18 **Sec. 3. 17-A MRSA §554, sub-§1, ¶D** is enacted to read:

20 D. Sells or attempts to sell a child.

22 **Sec. 4. 22 MRSA §4055, sub-§1-A, ¶B**, as amended by PL 1995, c.
 481, §3, is further amended to read:

24 B. The victim of any of the following crimes was a child
26 for whom the parent was responsible or the victim was a
 child who was a member of a household lived in or frequented
 by the parent and the parent has been convicted of:

- 28 (1) Murder;
- 30 (2) Felony murder;
- 32 (3) Manslaughter;
- 34 (4) Aiding or soliciting suicide;
- 36 (5) Aggravated assault;
- 38 (6) Rape;
- 40 (7) Gross sexual misconduct or gross sexual assault;
- 42 (8) Sexual abuse of minors;
- 44 (9) Incest;
- 46 (10) Kidnapping;
- 48 (11) Promotion of prostitution; or

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(12) A comparable crime in another jurisdiction; or

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(13) Endangering the welfare of a child under Title 17-A, section 554, subsection 1, paragraph D by selling or attempting to sell the child;

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SUMMARY

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This bill expands the definition of endangering the welfare of a child to include selling or attempting to sell a child. This bill also expands the grounds for termination of parental rights to include selling or attempting to sell a child.

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