

MAINE STATE LEGISLATURE

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L.D. 1070

DATE: 3-27-01

(Filing No. H-54)

JUDICIARY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
120TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 815, L.D. 1070, Bill, "An Act to Require Background Checks for Adoptions"

Amend the bill in section 3 in subsection (a-1) by inserting at the end a new blocked paragraph to read:

'This subsection does not authorize the court to request a background check for the biological parent who is also the current legal parent of the child.'

Further amend the bill by inserting after section 8 the following:

'Sec. 9. Allocation. The following funds are allocated from Other Special Revenue to carry out the purposes of this Act.

2001-02 2002-03

PUBLIC SAFETY, DEPARTMENT OF

State Police

All Other \$21,600 \$28,800

Allocates funds to conduct background checks for prospective adoptive parents.'

Further amend the bill by inserting at the end before the summary the following:

COMMITTEE AMENDMENT

FISCAL NOTE

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	2001-02	2002-03
APPROPRIATIONS/ALLOCATIONS		
Other Funds	\$21,600	\$28,800
REVENUES		
Other Funds	\$21,600	\$28,800

Requiring certain background checks will increase fee collections. The estimated increases of dedicated revenue to the Department of Public Safety are \$21,600 and \$28,800 in fiscal years 2001-02 and 2002-03, respectively. The department will need additional Other Special Revenue allocations of the same amounts for fiscal years 2001-02 and 2002-03.

The Bureau of Child and Family Services within the Department of Human Services will incur some minor additional costs to investigate whether a child is a proper subject for adoption and whether the proposed home is suitable for the child and submit the report to the court within 60 days. These costs can be absorbed within the bureau's existing budgeted resources.'

SUMMARY

This amendment clarifies that the new language requiring background checks for prospective adoptive parents who are not the biological parents of the child does not give the Probate Court the authority to order the background check for the biological parent who is also currently the legal parent of the child.