

# MAINE STATE LEGISLATURE

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# 122nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2005

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Legislative Document

No. 415

S.P. 139

In Senate, January 27, 2005

### **An Act To Ensure Compliance with the Federal Indian Child Welfare Act**

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Reference to the Committee on Judiciary 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 ROTUNDO of Androscoggin.  
Cosponsored by Representative PELLETIER-SIMPSON of Auburn and  
Senators: CLUKEY of Aroostook, DAMON of Hancock, President EDMONDS of  
Cumberland, MARTIN of Aroostook, RAYE of Washington, Representatives: LORING of the  
Penobscot Nation, MOORE of the Passamaquoddy Tribe, SHERMAN of Hodgdon.

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

4 **Sec. 1. 22 MRSA §4010-C** is enacted to read:

6 **§4010-C. Compliance with Indian Child Welfare Act**

8 Notwithstanding the provisions of this chapter, the  
10 department shall ensure that matters pertaining to a child who is  
12 a member of an Indian tribe recognized by the Federal Government  
14 or the State are handled in strict compliance with the federal  
16 Indian Child Welfare Act of 1978, 25 United States Code, Section  
1901.

18 **SUMMARY**

20 This bill requires the Department of Health and Human Services to comply with the federal Indian Child Welfare Act when dealing with a child who is a member of an Indian tribe recognized by the Federal Government or Maine.