

MAINE STATE LEGISLATURE

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NEW DRAFT

EIGHTY-THIRD LEGISLATURE

Senate Document

No. 349

S. P. 591

In Senate, April 4, 1927.

Reported by Senator Morrison from Committee on Legal Affairs and laid on table to be printed under joint rules.

ROYDEN V. BROWN, Secretary.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND TWENTY-SEVEN

AN ACT Relating to Consent Required to be Given in
Adoption of Children.

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

R. S., c. 72, sec. 36; relating to consent required to be
2 given in case of adoption of children, amended. Chapter
3 seventy-two, section thirty-six, of the revised statutes is
4 hereby amended by adding at the end of said section the
5 following: 'Provided, however, if only one of such parents
6 have abandoned the child and ceased to provide for its sup-
7 port, consent may be given by the parent who has not aban-
8 doned said child,' so that said section, as amended, shall
9 read as follows:

'Sect. 36. Consent is required. R. S., c. 69, sec. 33. Be-

2 fore such petition is granted, written consent to such a top-
 3 tion must be given by the child, if of the age of fourteen
 4 years, and by each of his living parents, if not hopelessly
 5 insane or intemperate; or, when a divorce has been decreed
 6 to either parent, written consent by the parent entitled to
 7 the custody of the child; or such consent by one parent,
 8 when, after such notice to the other parent as the judge
 9 deems proper and practicable, such other parent is consid-
 10 ered by the judge unfit to have the custody of the child.
 11 If there are no such parents, or if the parents have aban-
 12 doned the child and ceased to provide for its support, con-
 13 sent may be given by the legal guardian; if no such guar-
 14 dian, then by the next of kin in the state; if no such kin
 15 then by some person appointed by the judge to act in the
 16 proceedings as the next friend of such child; if an illegiti-
 17 mate child, and under the age of fourteen years, such con-
 18 sent may be given by the mother of such child. Provided,
 19 however, if only one of such parents have abandoned the
 20 child and ceased to provide for its support, consent may be
 21 given by the parent who has not abandoned said child.