

# MAINE STATE LEGISLATURE

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**Legislative Document**

**No. 46**

H. P. 45

House of Representatives, January 20, 1953.

Referred to the Committee on Judiciary. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Fuller of Bangor.

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**STATE OF MAINE**

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-THREE

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**AN ACT Relating to the Adoption of Persons.**

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

**R. S., c. 145, § 36, amended.** The 1st sentence of section 36 of chapter 145 of the revised statutes, as amended, is hereby repealed and the following 2 sentences enacted in place thereof :

**'Before such petition is granted, written consent to such adoption must be given by the child, if of the age of 14 years, and by each of his living parents, if not hopelessly insane or intemperate; or, when a divorce has been decreed to either parent, written consent by the parent or the department of health and welfare, whichever is entitled to the custody of the child, personal notice of such petition to be given to the parent or parents not entitled to custody, if within the jurisdiction of the court, or if beyond the jurisdiction of the court or the residence is unknown, such notice as the judge deems proper; or such consent by 1 parent, when, after such notice to the other parent as the judge deems proper and practicable, such other parent is considered by the judge unfit to have the custody of the child. When any child has been committed to the custody of the department of health and welfare under the provisions of section 238 of chapter 22, and the commitment order is still in effect, consent shall be given by the department and no notice need be given to the parents.'**