

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND TENTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 1980 to June 19, 1981

AND AT THE

FIRST SPECIAL SESSION
August 3, 1981

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PUBLIC LAWS
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Sec. 17. 12 MRSA § 304, sub-§§ 9 and 10, as enacted by PL 1977, c. 694, § 203 are repealed.

Sec. 18. 12 MRSA § 305, sub-§ 1, as enacted by PL 1975, c. 542, is amended to read:

1. **Prohibition.** After issuance of an order under section 304, subsection 4 establishing a normal water level for any body of water, no owner of a dam thereon, nor any subsequent transferee, shall operate or maintain such dam or cause or permit such dam to be operated or maintained in any manner that will cause such level of water to be higher or lower than that permitted by the order of the ~~commission~~ commissioner.

Sec. 19. 12 MRSA § 306, as amended by PL 1977, c. 694, § 204, is further amended to read:

§ 306. Enforcement

The ~~commission~~ commissioner, a dam owner, or any littoral proprietor may commence an action to enjoin the violation of any provision of this chapter. The ~~commission~~ commissioner may enforce the order by any other appropriate remedy.

The violation of any order of the ~~commission~~ commissioner shall be punishable by a fine of not less than \$20 and not more than \$100. Each day of violation shall be considered a separate offense.

Sec. 20. 12 MRSA § 307, as amended by PL 1977, c. 694, § 205, is further amended to read:

§ 307. Appeal

Any person aggrieved by an order of the ~~commission~~ commissioner may appeal to the Superior Court pursuant to Title 5, chapter 375, subchapter VII.

Effective September 18, 1981

CHAPTER 57

H. P. 107 — L. D. 141

AN ACT to Amend the Subsidized Adoption Law.

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

Sec. 1. 19 MRSA § 541, as last amended by PL 1979, c. 507, § 1, is further amended to read:

§ 541. Authorization

The Department of Human Services is authorized to ~~subsidize the~~ provide adoption ~~of assistance~~ for children in its care or custody who are legally eligible for adoption and who are physically ~~or~~, mentally ~~handicapped~~ or emotionally ~~disturbed~~ **handicapped** or who by virtue of age ~~or~~, sibling relationship, ~~race or the presence of medical condition~~ otherwise may not be adopted. The Department of Human Services is authorized to use funds for this purpose which are appropriated for child welfare services **and funds under Title IV-E and Title IV-B of the United States Social Security Act.**

The amount of the ~~subsidy~~ **adoption assistance** may vary depending upon the resources of the adoptive parents, the special needs of the child, as well as the availability of other resources, but may not exceed the total cost of caring for the child if the child were to remain in the care or custody of the Department of Human Services without regard to the source of the funds which would have been used to care for the child. ~~The duration of the subsidy may continue until the cessation of legal parental responsibility~~

The duration of the adoption assistance may continue until the cessation of legal parental responsibility, or until the parents are no longer supporting the child, at which time the adoption assistance shall cease, except that if the child has need of educational benefits or has a physical, mental or emotional handicap, adoption assistance is authorized to continue until the child has reached age 21 if the child, the parent and the department agree that the need for care and support exists.

Sec. 2. 19 MRSA § 543, as amended by PL 1975, c. 293, § 4, is further amended to read:

§ 543. Administration

A written agreement between the family ~~entering into subsidized adoption~~ **receiving adoption assistance** and the Department of Human Services must precede the final decree of adoption. In case of ~~subsidies~~ **assistance** that ~~continue~~ **continues** for more than one year, there shall be an annual redetermination of the need for ~~subsidy~~ **assistance**. If the adopting family moves from the original jurisdiction to another state, ~~such~~ the family, if otherwise eligible, shall continue to receive the ~~subsidy~~ **adoption assistance.**