5 May 2017

The 128th Legislature of the State of Maine
State House
Augusta, ME

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 365 “An Act To Waive Background Checks for the Parent of a Child Who Is the Subject of an Adoption Proceeding.”

Current law states that a court must order a criminal background check of each prospective adoptive parent of a child with the exception of a biological parent. I do not know why there is such interest in the Legislative Branch to create exemptions from the background check requirement that is intended to protect children from predators.

I understand that during the public hearing, the committee had the benefit of hearing from a probate court judge. This judge testified in opposition to the bill that “[f]ar too many stepparent background checks have yielded criminal records that include domestic abuse, felony convictions, and DHHS substantiated abuse against a child. We learn of these criminal records despite the petitioner’s signed affidavit denying a criminal record.”

This is enough to convince me that this bill would place Maine children at risk.

For these reasons, I return LD 365 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

Paul R. LePage
Governor