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Date: (Filing No. S- )

**HEALTH AND HUMAN SERVICES**

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**STATE OF MAINE  
SENATE  
128TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 708, L.D. 1863, Bill, “An Act Regarding the Limit on the Number of Children Who May Be Placed in a Single Foster Home”

Amend the bill by inserting after the title and before the enacting clause the following:

**'Emergency preamble. Whereas,** acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** the emergency enactment of this legislation is necessary to allow the Department of Health and Human Services to place in appropriate foster homes children who are currently awaiting such placement; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,'

Amend the bill by striking out all of section 2 and inserting the following:

**'Sec. 2. 22 MRSA §8107, sub-§1-A** is enacted to read:

**1-A. Number; placement in family foster home.** The limitation on the number of children in a family foster home does not prohibit the placement of more than the allowed number in an individual case involving unusual circumstances if the department determines that placement to be appropriate.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.'

**SUMMARY**

The amendment allows a family foster home to exceed the limitation on the total number of children allowed in the family foster home in an individual case involving

**COMMITTEE AMENDMENT**

1 unusual circumstances if the Department of Health and Human Services determines it to  
2 be appropriate, instead of basing the exception on a determination by the department of  
3 the best interest of the child, as proposed in the bill. This amendment also adds an  
4 emergency preamble and emergency clause.