

§3942. Legislative finding and declaration of policy

1. Finding. The Legislature finds and declares that membership or citizenship in an Indian tribe, as well as eligibility for membership or citizenship in an Indian tribe, as determined by each Indian tribe is a political classification.

[PL 2023, c. 359, §5 (NEW).]

2. Declaration of policy. The purpose of the Maine Indian Child Welfare Act is recognition by the State that Indian tribes have a continuing and compelling governmental interest in an Indian child whether or not the Indian child is in the physical or legal custody of an Indian parent, an Indian custodian or an Indian extended family member at the commencement of an Indian child custody proceeding or the Indian child has resided or is domiciled on an Indian reservation. The State is committed to protecting the essential tribal relations and best interests of an Indian child by promoting practices in accordance with all laws designed to prevent the Indian child's voluntary or involuntary out-of-home placement and, whenever such placement is necessary or ordered, by placing the Indian child, whenever possible, in a placement that reflects the unique values of the Indian child's tribal culture and that is best able to assist the Indian child in establishing, developing and maintaining a political, cultural and social relationship with the Indian child's tribe and tribal community. It is the policy of the State to cooperate fully with Indian tribes and tribal members and citizens in this State and elsewhere in order to ensure that the intent and provisions of this Act are enforced.

[PL 2023, c. 359, §5 (NEW).]

SECTION HISTORY

PL 2023, c. 359, §5 (NEW).

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