

**§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).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Special Session of the 132nd Maine Legislature and is current through October 1, 2025. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.