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## **An Act To Clarify Confidentiality in Child Protective Proceedings**

**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 Legislature established February 1, 2008 as the effective date of Public Law 2007, chapter 335 to provide sufficient time for the federal Department of Health and Human Services to review the provisions of Public Law 2007, chapter 335 to determine if there are inconsistencies between Maine information sharing authorizations and federal requirements; and

**Whereas,** the Maine Department of Health and Human Services has yet to receive written notification whether Public Law 2007, chapter 335 is in compliance with federal requirements; and

**Whereas,** the changes included in Public Law 2007, chapter 335 should be effectuated only if they are in compliance with federal requirements; and

**Whereas,** the Legislature prefers to rely on written communication from the federal Department of Health and Human Services before taking action; 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,

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

**Sec. 1. PL 2007, c. 335, §5** is amended to read:

**Sec. 5. Effective date.** This Act takes effect ~~February~~ March 1, 2008, except that section 4 of this Act, relating to the Maine State Plan, takes effect 90 days after adjournment of the First Regular Session of the 123rd Legislature.

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

Effective January 31, 2008.