

## **132nd MAINE LEGISLATURE**

## FIRST REGULAR SESSION-2025

**Legislative Document** 

No. 127

S.P. 55

In Senate, January 8, 2025

An Act to Strengthen Legislative Oversight of Government Agencies and Programs by Reaffirming the Legislature's Access to Confidential Records

(EMERGENCY)

Reference to the Committee on Judiciary suggested and ordered printed.

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DAREK M. GRANT Secretary of the Senate

Presented by Senator HICKMAN of Kennebec. Cosponsored by Representative ARATA of New Gloucester and Senators: BAILEY of York, BENNETT of Oxford, DUSON of Cumberland, TIMBERLAKE of Androscoggin, TIPPING of Penobscot, Representatives: BLIER of Buxton, LEE of Auburn, STOVER of Boothbay.

- 1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not 2 become effective until 90 days after adjournment unless enacted as emergencies; and
- 3 **Whereas,** this legislation provides that the Government Oversight Committee may 4 receive information and records that are privileged and confidential and that that 5 information and those records are exempt from public disclosure; and
- 6 **Whereas,** the Government Oversight Committee requires immediate access to the 7 records of children who died in the State in order to complete its investigation of the 8 Department of Health and Human Services, Office of Child and Family Services; and

9 **Whereas,** in the judgment of the Legislature, these facts create an emergency within 10 the meaning of the Constitution of Maine and require the following legislation as 11 immediately necessary for the preservation of the public peace, health and safety; now, 12 therefore,

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

14 Sec. 1. 3 MRSA §994, sub-§11, as amended by PL 2005, c. 104, §2, is further 15 amended to read:

16 **11. Information and records available to committee.** To receive eertain information 17 and records, including information and records that are otherwise privileged or 18 confidential. Information and records that is are made available to the committee is are 19 governed by chapter 21, which governs legislative investigating committees, and by Title 20 1, chapter 13, which governs public records and proceedings, except that, notwithstanding 21 any provision of law to the contrary, privileged or confidential information and records 22 received by the committee under this subsection are confidential; and

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

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## **SUMMARY**

This bill provides that the Government Oversight Committee may receive information and records that are privileged and confidential and that that information and those records are exempt from public disclosure.