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**JUDICIARY**

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**STATE OF MAINE  
SENATE  
131ST LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 332, L.D. 773, “An Act to Ensure Access by Parties and Attorneys to Records in Child and Adult Protection Proceedings”

Amend the bill by inserting after the enacting clause and before after section 1 the following:

**'Sec. 1. 18-C MRSA §5-701, sub-§4** is enacted to read:

**4. Access to records.** In any case in which a public guardian or conservator may be or has been appointed by the court under this Article, the Department of Health and Human Services shall disclose to the respondent and the respondent's attorney relevant information from the department's records as required by Title 22, section 3474, subsection 3, paragraph F.

**Sec. 2. 22 MRSA §3474, sub-§2, ¶D,** as amended by PL 2003, c. 653, §6, is further amended to read:

~~D. An incapacitated or dependent adult named in a record who is reported to be abused, neglected or exploited or the~~ The caretaker, guardian or conservator of the an incapacitated or dependent adult named in a record who is reported to be abused, neglected or exploited;

Amend the bill by striking out all of section 3 and inserting the following:

**'Sec. 3. 22 MRSA §3474, sub-§3, ¶F** is enacted to read:

F. The adult who is the subject of the record and the adult's attorney, with protection for identity of reporters and other persons when appropriate. Nothing in this paragraph requires the department to disclose information to a guardian or conservator of the adult who is the subject of the record.'

Amend the bill by inserting after section 7 the following:

**'Sec. 8. 22 MRSA §4032, sub-§2, ¶C-1** is enacted to read:

C-1. The phone number and e-mail address, if known, of each parent and custodian, unless the petitioner has reason to believe that disclosing the phone number or e-mail

**COMMITTEE AMENDMENT**

