

MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 1918

6
7 H.P. 1466

House of Representatives, January 10, 1984

8 Submitted by the Department of Mental Health and Mental Retardation
9 pursuant to Joint Rule 24.

10 Reference to the Committee on Health and Institutional Services is
suggested and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Melendy of Rockland.

11 Cosponsors: Representative Carroll of Gray and Representative Roberts
of Buxton.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FOUR
16

17 AN ACT Relating to Public Guardianship
18 and Disclosure of Information.
19

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

22 34-B MRSA §1207, sub-§1, ¶B, as amended by PL
23 1983, c. 580, § 4, is further amended to read:

24 B. Information may be disclosed if necessary to
25 carry out any of the statutory functions of the
26 department, the hospitalization provisions of
27 chapter 3, subchapter IV or the purposes of Title
28 22, section 3554, dealing with the investigatory
29 function of the Protection and Advocacy Agency of
30 the Developmentally disabled in Maine, or the
31 purposes of Title 18-A, section 5-601, subsection
32 (b), where the Department of Human Services is
33 nominated requested by the Department of Mental
34 Health and Mental Retardation to act as public
35 guardian or public conservator;

1 STATEMENT OF FACT

2 Drafting of the legislative document passed by
3 the 111th Legislature, First Regular Session, as Pub-
4 lic Law 1983, chapter 580, section 4, neglected to
5 include the term "public conservator," thus placing
6 unintended restrictions on the actions of the Depart-
7 ment of Human Services. Further, the term "nomi-
8 nated" has been replaced since it has statutory mean-
9 ing in the Probate Code not intended to apply in this
10 section.

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