

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
114TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1754, L.D. 2417, Bill, "An Act to Improve Protective Services for Incapacitated and Dependent Adults"

Amend the bill in section 2 in subsection (e) by striking out all of the last underlined sentence (page 1, lines 19 to 22 in L.D.)

Further amend the bill in section 3 in subsection (e) by striking out all of the last underlined sentence (page 1, lines 31 to 34 in L.D.)

Further amend the bill by striking out all of section 5 and inserting in its place the following:

'Sec. 5. 22 MRSA § 3473, sub-§3 is enacted to read:

3. Appearance of designated employees in Probate Court. The commissioner may designate employees of the department to represent the department in Probate Court in:

A. Matters relating to the performance of duties in uncontested guardianship proceedings; and

B. Requests for emergency guardianships arising from the need for emergency medical treatment.'

Further amend the bill by striking out all of sections 9 and 12.

Further amend the bill by renumbering the sections to read consecutively.

STATEMENT OF FACT

This amendment removes the provision of the original bill that would have permitted the admission into evidence of hearsay

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2 statements by an alleged victim of abuse, neglect or
exploitation. The amendment makes changes to the language
4 permitting the employees of the Department of Human Services to
represent the department so that it is the same as language
6 permitting employees of the Department of Mental Health and
Mental Retardation to represent that department. The amendment
8 removes from the original bill provisions extending the authority
of the Department of Human Services to disclose information about
10 a ward or protected person to other organizations or individuals
or to executive or legislative officials.

Reported by the Committee on Judiciary
Reproduced and distributed under the direction of the Clerk of the House
3/30/90 (Filing No. H-1041)