

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 1322

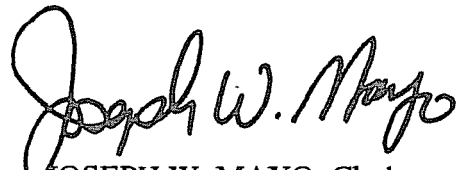
H.P. 991

House of Representatives, April 22, 1993

Resolve, to Establish the Commission on the Status of Alleged Child Abusers.

(EMERGENCY)

Received by the Clerk of the House on April 20, 1993. Referred to the Committee on Judiciary and 1200, ordered printed pursuant to Joint Rule 14.


JOSEPH W. MAYO, Clerk

Presented by Representative MELENDY of Rockland.
Cosponsored by Senator BUSTIN of Kennebec and
Representatives: COTE of Auburn, DRISCOLL of Calais, HOGLUND of Portland, JACQUES
of Waterville, LORD of Waterboro, MARSHALL of Eliot, MITCHELL of Vassalboro,
MURPHY of Berwick, OLIVER of Portland, PLOURDE of Biddeford, Senator: PARADIS of
Aroostook.

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 Commission on the Status of Alleged Child
Abusers must submit its report by November 1, 1993 in order for
any recommended legislative changes to be properly considered by
the Second Regular Session of the 116th Legislature; 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

Sec. 1. Commission established. Resolved: That the Commission
on the Status of Alleged Child Abusers, referred to in this
resolve as the "commission," is established; and be it further

Sec. 2. Commission membership. Resolved: That the commission
consists of the following 8 members: the Commissioner of Human
Services or the commissioner's designee; one Senator appointed by
the President of the Senate; 2 members of the House of
Representatives appointed by the Speaker of the House of
Representatives; 2 members of the public appointed jointly by the
President of the Senate and the Speaker of the House of
Representatives; and one adult victim of child abuse and one
alleged child abuser appointed jointly by the President of the
Senate and the Speaker of the House of Representatives; and be it
further

Sec. 3. Appointments; meetings; chair; compensation. Resolved:
That the President of the Senate and the Speaker of the House of
Representatives shall make the appointments within 30 days of the
effective date of this resolve and shall notify the Executive
Director of the Legislative Council once the appointments are
made. The Chair of the Legislative Council shall call and
convene the first meeting of the commission no later than July
30, 1993. The commission shall select a chair from among its
members. The members of the commission serve without
compensation, except that legislative members are entitled to
receive mileage at the legislative rate when attending to the
duties of the commission; and be it further

Sec. 4. Duties. Resolved: That the commission shall review the
policies and procedures of the Department of Human Services
concerning persons accused of child abuse. As part of this
review, the commission shall:

2 1. Examine how records that contain information on and
names of persons accused of child abuse are maintained and used;

4 2. Determine whether the expunction procedures required
under the Maine Revised Statutes, Title 22, section 4008,
6 subsection 5 are followed appropriately and whether additional
procedures are needed;

8 3. Review the existing guidelines and statutory
10 requirements for the dissemination of information on alleged
child abusers and whether those requirements and guidelines
12 should be amended; and

14 4. Study whether the Coordinated Response System, as
proposed in Resolve 1989, chapter 99, should be implemented; and
16 be it further

18 **Sec. 5. Assistance. Resolved:** That the commission may request
staffing assistance from the Legislative Council; and be it
20 further

22 **Sec. 6. Report. Resolved:** That the commission shall submit
its report, including any necessary implementing legislation, to
24 the Second Regular Session of the 116th Legislature no later than
November 1, 1993.

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

30

32 **STATEMENT OF FACT**

34 This resolve establishes the Commission on the Status of
Alleged Child Abusers.

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