

# MAINE STATE LEGISLATURE

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# 116th MAINE LEGISLATURE

## SECOND REGULAR SESSION-1994

Legislative Document

No. 1962

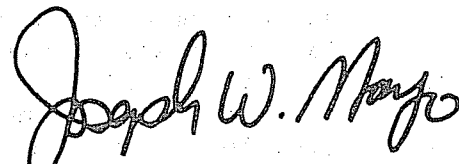
H.P. 1436

House of Representatives, March 3, 1994

**An Act to Provide for a Comprehensive Investigation of the Death of  
Children by Homicide or through Other Suspicious Circumstances.**

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.  
Reference to the Committee on Human Resources suggested and ordered printed.

  
JOSEPH W. MAYO, Clerk

Presented by Representative CATHCART of Orono.  
Cosponsored by Representatives: MORRISON of Bangor, SAXL of Bangor, Senator: BERUBE  
of Androscoggin.

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

4 Sec. 1. 22 MRSA §4010-B is enacted to read:

6 §4010-B. Child death and serious injury review panel

8 1. Attorney General obligated to report. Within 30 days  
10 after commencing an investigation into the death of a child, the  
12 Attorney General shall notify the child death and serious injury  
14 review panel, established pursuant to section 4004, subsection 1,  
16 paragraph E and referred to in this section as "the panel."

18 2. Duties of the panel. The panel shall investigate the  
20 circumstances of the deaths of children reported to the panel by  
22 the Attorney General. The panel shall determine whether the  
24 child protection system failed in the case of a child under  
26 investigation. If the panel determines that the child protection  
28 system failed, the panel shall recommend changes in law, policy  
or practice to prevent a similar failure.

30 3. Report. Notwithstanding section 4008, subsection 3-A,  
32 the panel shall report its findings under this section to the  
34 joint standing committee of the Legislature having jurisdiction  
36 over human resources matters. The panel may not report any  
38 personally identifying information.

40 STATEMENT OF FACT

42 This bill requires the child death and serious injury  
44 review panel to investigate the deaths of children reported to  
46 the panel by the Attorney General. The panel shall determine  
whether the child protection system failed in the case of a child  
under investigation and if the panel determines that the system  
failed, shall recommend changes in law, policy or practice to  
prevent a similar failure. The panel shall report its findings  
to the joint standing committee of the Legislature having  
jurisdiction over human resources matters.

48 This document has not yet been reviewed to determine the  
50 need for cross-reference, stylistic and other technical  
52 amendments to conform existing law to current drafting standards.