

MAINE STATE LEGISLATURE

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DATE: May 30, 1995

(Filing No. S- 198)

JUDICIARY

Reported by: Senator MILLS of Somerset for the Committee.

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**STATE OF MAINE
SENATE
117TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 438, L.D. 1206, Bill, "An Act to Amend the Medical Examiner Act"

Amend the bill by inserting after the title the following:

'Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, two thirds of all of the members elected to each House have determined it necessary to enact this measure.'

Further amend the bill in section 3 in subsection 7 by striking out all of the 2nd paragraph (page 1, lines 44 to 52 in L.D.) and inserting in its place the following:

'If a medical examiner reports suspected abuse, neglect or exploitation to the Chief Medical Examiner, the Chief Medical Examiner, by reporting that information to the department on behalf of the medical examiner, fulfills the medical examiner's mandatory reporting requirement under section 3477 or 4011.'

Further amend the bill by inserting at the end before the statement of fact the following:

'FISCAL NOTE

This bill requires law enforcement officers to take

possession of any objects and specimens that have been removed
from a victim. The additional local costs of this state mandate
are associated with the collection and storage of the specimens,
including any record keeping. These costs are expected to be
minor. Pursuant to the Mandate Preamble, the 2/3 vote of all
members elected to each House exempts the State from the
constitutional requirement to fund 90% of the additional local
costs.'

STATEMENT OF FACT

This amendment adds a Mandate Preamble, requiring a 2/3
majority vote for passage, to indicate that the Legislature does
not believe it necessary to provide funding to local units of
government to carry out this Act because the new language in
sections 1 and 2 is a codification of current practices.

This amendment replaces language in section 3 of the
original bill addressing statutory reporting duties of medical
examiners. The 2 sections of the law that mandate the reporting
of suspected abuse, neglect or exploitation of adults and
children are specifically cross-referenced. The Chief Medical
Examiner may, upon receipt of the medical examiner's information,
make the required report to the Department of Human Services on
behalf of the medical examiner.