

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 1002

H.P. 738

House of Representatives, February 11, 1997

**An Act Requiring the Department of Human Services to Provide
Custodial History of Children in the Care of the Department.**

Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative PERKINS of Penobscot. (By Request)

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

2 **Sec. 1. 22 MRSA §4008, sub-§3, ¶F**, as amended by PL 1991, c.
4 630, §3, is further amended to read:

6 F. The Commissioner of Education when the information
8 concerns teachers and other professional personnel issued
10 certificates under Title 20-A, persons employed by schools
operated pursuant to Title 20-A or any employees of schools
operated by the Department of Education; and

12 **Sec. 2. 22 MRSA §4008, sub-§3, ¶G**, as amended by PL 1995, c.
14 391, §2, is further amended to read:

16 G. The prospective adoptive parents. Prior to a child
18 being placed for the purpose of adoption, the department
shall comply with the requirements of Title 19, section
1125, subsection 2 and section 8205+ ; and

20 **Sec. 3. 22 MRSA §4008, sub-§3, ¶G**, as amended by PL 1995, c.
22 694, Pt. D, §39 and affected Pt. E, §2, is further amended to
read:

24 G. The prospective adoptive parents. Prior to a child
26 being placed for the purpose of adoption, the department
shall comply with the requirements of Title 18-A, section
9-304, subsection (b) and section 8205+ ; and

28 **Sec. 4. 22 MRSA §4008, sub-§3, ¶H** is enacted to read:

30 H. The public. Notwithstanding any other provision of law
32 or rule, the department through the commissioner's office,
34 upon the request of any member of the public shall make
36 available to the requesting party in written form a general
38 custodial history of a child who is or has ever been
determined to be in jeopardy under section 4035. Omitting
the child's surname, the history must include the child's
gender and birthdate; all court docket numbers related to
the custody of the child; all residential placements and
their dates by county and town, including placements for
evaluation and treatment; all categories and levels of
reimbursement paid for care of the child; and the date and
reason for disposition of all actions under this chapter.

44 This paragraph does not apply to protective cases under
46 section 4035 that are closed prior to the effective date of
this paragraph.

48 **Sec. 5. Effective date.** That section of this Act that amends
50 the Maine Revised Statutes, Title 22, section 4008,

2 subsection 3, paragraph G that was amended by Public Law 1995,
4 chapter 694, Part D, section 39 and affected Part E, section 2,
6 takes effect October 1, 1997.

8 SUMMARY

10 The purpose of this bill is to provide accountability
12 regarding the costs and benefits of state child protection
14 actions as to any given child, any given family and society at
16 large and to provide a practicable avenue for formally studying
18 the effectiveness of such protection action. This bill amends
20 the child protective laws by making available to the public the
following information: the child's gender and birthdate; the
relevant court docket numbers; all residential placements and
their dates, including placements for evaluation and treatment;
all categories and levels of reimbursement paid for care of the
child; and the date and reason for disposition of all actions
under the Maine Revised Statutes, Title 22, chapter 1071.