

MAINE STATE LEGISLATURE

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DATE: 2-7-00

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JUDICIARY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1688, L.D. 2394, Bill, "An Act to Allow Limited Access to Information Relating to Investigation of Abuse at the Governor Baxter School for the Deaf"

Amend the bill by striking out all of section 1 (page 1, lines 26 to 31 in L.D.) and inserting in its place the following:

'Sec. 1. Access to information. Notwithstanding any Maine law prohibiting or limiting access to information, including records, relating to previous investigations or allegations of abuse at the Governor Baxter School for the Deaf, the members of the Joint Standing Committee on Judiciary, referred to in this Act as the "committee," may review such information solely for the purpose of developing a response to the claims of abuse. The Governor Baxter School for the Deaf, any department and any agency having records relating to previous investigations or allegations of abuse at the school shall immediately notify the committee and make those records available for review.'

Further amend the bill in section 2 in subsection 5 in the 2nd line (page 2, line 15 in L.D.) by striking out the following: "by April 15, 2000" and inserting in its place the following: 'during the Second Regular Session of the 119th Legislature'

Further amend the bill by inserting after section 2 the following:

'Sec. 3. Immunity. An employee of the State or of the Governor Baxter School for the Deaf is not civilly or criminally liable for providing access to information in compliance with this Act.'

COMMITTEE AMENDMENT

2 Further amend the bill by inserting at the end before the
summary the following:

6 **FISCAL NOTE**

8 The Department of the Attorney General will incur some minor
additional costs to assist in the review of certain records.
10 These costs can be absorbed within the department's existing
budgeted resources.

12 The additional costs associated with furnishing certain
14 information and records pertaining to the Governor Baxter School
for the Deaf can be absorbed by the Department of Education
16 utilizing existing budgeted resources.'

18 **SUMMARY**

20 This amendment clarifies that the confidential information
22 that is subject to review by the Joint Standing Committee on
Judiciary is information, including records, relating to previous
24 investigations of abuse at the school, as well as information
relating to allegations of abuse at the school. The Governor
26 Baxter School for the Deaf, any department and any agency having
information relating to previous investigations or allegations of
28 abuse at the school must notify the committee that the
information exists and make the information available for review
30 by the committee.

32 This amendment clarifies that the committee must complete
its review of the information no later than the end of the Second
34 Regular Session of the 119th Legislature.

36 Any employee of the State or the Governor Baxter School for
the Deaf who provides information pursuant to this Act is immune
38 from civil and criminal liability for providing that information
to the committee.

40 The amendment also adds a fiscal note to the bill.