

MAINE STATE LEGISLATURE

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R.O.S.

L.D. 309

DATE: 4-28-03

(Filing No. H-197)

JUDICIARY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 252, L.D. 309, Bill, "An Act To Require Church Officials To Report Suspected Abuse"

Amend the bill in section 1 by striking out all of the first 2 lines (page 1, lines 3 and 4 in L.D.) and inserting in their place the following:

'Sec. 1. 22 MRSA §3477, sub-§1, ¶¶A and B, as enacted by PL 2001, c. 345, §3, are amended to read:'

Further amend the bill in section 1 in paragraph A in subparagraph (22) in the first line (page 1, line 50 in L.D.) by inserting after the following: "or" the following: 'and'

Further amend the bill in section 1 in paragraph A in subparagraph (23) in the last line (page 2, line 5 in L.D.) by striking out the following: "or"

Further amend the bill in section 1 in paragraph A by striking out all of subparagraph (24) (page 2, lines 7 to 9 in L.D.)

Further amend the bill in section 1 by inserting at the end the following:

'B. Any other person who has assumed full, intermittent or occasional responsibility for the care or custody of the adult, regardless of whether or not the person receives compensation; and'

COMMITTEE AMENDMENT

Further amend the bill by inserting after section 1 the following:

'Sec. 2. 22 MRSA §3477, sub-§1, ¶C is enacted to read:

C. Any person affiliated with a church or religious institution who serves in an administrative capacity or has otherwise assumed a position of trust or responsibility to the members of that church or religious institution, while acting in that capacity, regardless of whether the person receives compensation.'

Further amend the bill in section 2 by striking out all of the first 2 lines (page 2, lines 11 and 12 in L.D.) and inserting in their place the following:

'Sec. 2. 22 MRSA §4011-A, sub-§1, ¶¶A and B, as enacted by PL 2001, c. 345, §5, are amended to read:'

Further amend the bill in section 2 in paragraph A in subparagraph (27) in the last line (page 3, line 25 in L.D.) by inserting after the following: "e" the following: 'and'

Further amend the bill in section 2 in paragraph A by striking out all of subparagraph (29) (page 3, lines 30 to 32 in L.D.)

Further amend the bill in section 2 by inserting at the end the following:

'B. Any ~~other~~ person who has assumed full, intermittent or occasional responsibility for the care or custody of the child, regardless of whether ~~or~~ the person receives compensation; and'

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

'Sec. 3. 22 MRSA §4011-A, sub-§1, ¶C is enacted to read:

C. Any person affiliated with a church or religious institution who serves in an administrative capacity or has otherwise assumed a position of trust or responsibility to the members of that church or religious institution, while acting in that capacity, regardless of whether the person receives compensation.'

2 Further amend the bill by relettering or renumbering any
nonconsecutive Part letter or section number to read
4 consecutively.

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SUMMARY

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This amendment revises the bill to provide more clarity as
to who other than clergy should be required to report suspected
12 child abuse or neglect and suspected abuse, neglect or
exploitation of vulnerable adults. This amendment includes as a
14 mandatory reporter any person affiliated with a church or
religious institution who serves in an administrative capacity or
16 has otherwise assumed a position of trust or responsibility to
the members of that church or religious institution. Such a
18 person is required to report if that person obtains the
information of suspected abuse, neglect or exploitation while
20 acting in that administrative capacity. The obligation applies
regardless of whether the person receives compensation.

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FISCAL NOTE REQUIRED
(See attached)

**121st Maine Legislature
Office of Fiscal and Program Review**



LD 309

An Act To Require Church Officials To Report Suspected Abuse

LR 0452(02)

Fiscal Note for Bill as Amended by Committee Amendment " "

Committee: Judiciary

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund
Minor revenue increase - General Fund

Correctional and Judicial Impact Statements

Establishes a new civil violation