MAINE STATE LEGISLATURE

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2	2 00 01	L.D. 1706
	DATE: 3.29.04	(Filing No. S- H66
4		
6	HEALTH AND HUMAN SERVICES	
8	Reported by:	
10	Reproduced and distributed under the direction of the Secretary of the Senate.	
12	STATE OF MAINE	
14	SENATE 121ST LEGISLATURE	
16	SECOND SPECIAL SESSION	
18	COMMITTEE AMENDMENT "A" to	S.P. 638, L.D. 1706, Bill, "An
20	Act To Ensure Appropriate Care a by Domestic Violence"	
22	-	
24	the following:	out the title and substituting
26	'An Act To Ensure Appropriate Care	e and Custody of Children'
28 30	Further amend the bill by seenacting clause and before the su the following:	triking out everything after the mmary and inserting in its place
32	'Sec. 1. 22 MRSA §4023, sub-§	2, ¶C, as amended by PL 1989, c.
34	C. Without any person respon	
36		
38	Sec. 2. 22 MRSA §4023, sub-§2 270, §8, is amended to read:	, $\P \mathbf{D},$ as enacted by PL 1989, c.
40	D. Taken into interim care a law enforcement officer:	under Title 15, section 3501, by or
42	Sec. 3. 22 MRSA §4023, sub-§2, ¶E is enacted to read:	
44	E. In a situation in which the child has lost both parents	
46	as a result of a homicide	or has lost one parent and the sted, detained or sentenced and
48	committed to a state corre	ctional facility, state mental jail for an offense related to
50	the homicide.	Jorr 101 on Ortense Letacen Co

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Sec. 4. 22 MRSA §4023, sub-§8 is enacted to read:

- 8. Emergency assessment. In the event of a homicide as described in subsection 2, paragraph E, the department shall perform an emergency assessment for the purposes of temporary placement with a relative or other responsible person. The department shall provide a copy of the assessment performed under this subsection to the law enforcement personnel involved with the family of the child.
- Sec. 5. Development of protocols. The Office of the Attorney General shall develop protocols for law enforcement in the event of a homicide as described in the Maine Revised Statutes, Title 22, section 4023, subsection 2, paragraph E. The protocols must require prompt notification to the Department of Human Services, Bureau of Child and Family Services and the provision to the bureau of the names of members of the family that is involved in the situation.
- Sec. 6. Development of plan. The Department of Public Safety shall develop a plan for the provision of criminal history record information and protection from abuse order information to the Department of Human Services, Bureau of Child and Family Services about persons being evaluated by the bureau in the process of performing an emergency assessment under the Maine Revised Statutes, Title 22, section 4023, subsection 8.'

30 SUMMARY

This amendment replaces the bill and changes the title. The amendment authorizes the Department of Human Services to provide short-term emergency services to children in the event of certain homicides and requires the department to perform emergency assessments for temporary placements in those situations. The amendment directs the Office of the Attorney General to develop protocols for law enforcement for notification to the Department of Human Services, Bureau of Child and Family Services. The amendment directs the Department of Public Safety to develop a plan for providing criminal history record information and protection from abuse order information to the bureau when the bureau is performing an emergency assessment under the Maine Revised Statutes, Title 22, section 4023, subsection 8.

FISCAL NOTE REQUIRED (See attached)

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Approved: 03/22/04



121st Maine Legislature Office of Fiscal and Program Review

LD 1706

An Act To Ensure Appropriate Care and Custody of Children Orphaned by Domestic Violence

LR 2312(02)

Fiscal Note for Bill as Amended by Committee Amendment Committee: Health and Human Services

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Additional costs to the Department of Human Services, the Department of Public Safety and the Department of the Attorney General in implementing this legislation can be absorbed by the departments utilizing existing budgeted resources.