

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

[This information is provided from the Bill Tracking & Text Search system for the following unprinted amendment:]

Amendment Name: Amendment CB (H-836) (LD 2038 2020)

Date: 8/12/2020



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35

Date: (Filing No. H- )

**JUDICIARY**

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
129TH LEGISLATURE  
SECOND SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1449, L.D. 2038, “An Act To Ensure the Safety of State Employees By Allowing Disclosure of Certain Information in Limited Circumstances”

Amend the bill by striking out everything after the enacting clause and inserting the following:

**'Sec. 1. 22 MRSA §4008, sub-§2, ¶A-2** is enacted to read:

A-2. An administrator of a social media service, to the extent authorized by a court for reporting, investigating or removing a threat or serious intimidation attempt directed against an employee of the department, an employee of the Attorney General's Office, a guardian ad litem or an employee or officer of any court or court system. The information remains confidential, and the social media service may not disclose any of the information provided by the department under this paragraph. For the purposes of this paragraph, "social media service" means an electronic medium or service through which users create, share and view user-generated content that is generally viewable by the public;

**Sec. 2. 22 MRSA §4008, sub-§3, ¶L**, as amended by PL 2015, c. 381, §2, is further amended to read:

L. To a licensing board of a mandated reporter, in the case of a mandated reporter under section 4011-A, subsection 1 who appears from the record or relevant circumstances to have failed to make a required report. Any information disclosed by the department personally identifying a licensee's client or patient remains confidential and may be used only in a proceeding as provided by Title 5, section 9057, subsection 6; and

**Sec. 3. 22 MRSA §4008, sub-§3, ¶M**, as enacted by PL 2015, c. 381, §3, is amended to read:

M. Law enforcement authorities for entry into the National Crime Information Center database of the Federal Bureau of Investigation and to a national information

**COMMITTEE AMENDMENT**

1 clearinghouse for missing and exploited children operated pursuant to 42 United States  
2 Code, Section 5773(b). Information disclosed pursuant to this paragraph is limited to  
3 information on missing or abducted children or youth that is required to be disclosed  
4 pursuant to 42 United States Code, Section 671(a)(35)(B); and

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

6 N. A law enforcement agency, to the extent necessary for reporting, investigating or  
7 removing a threat or serious intimidation attempt directed against an employee of the  
8 department, an employee of the Attorney General's Office, a guardian ad litem or an  
9 employee or officer of any court or court system.'

10 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
11 number to read consecutively.

## 12 SUMMARY

13 This amendment is the minority report of the Joint Standing Committee on Judiciary.

14 This amendment replaces the bill. The amendment requires court authorization for the  
15 Department of Health and Human Services to release confidential information related to  
16 child protective activities to an administrator of a social media service to report, investigate  
17 or remove a threat or serious intimidation attempt directed at a department employee, an  
18 employee of the Attorney General's Office, a guardian ad litem, a court employee or an  
19 officer of the court, including prosecuting and other attorneys.

20 The amendment defines "social media service" and prohibits the social media service  
21 from redisclosing the confidential information that is provided by the department.

22 This amendment differs from the majority report by requiring the department to  
23 disclose confidential information to a law enforcement agency, to the extent necessary for  
24 reporting, investigating or removing a threat or serious intimidation attempt directed  
25 against an employee of the department, an employee of the Attorney General's Office, a  
26 guardian ad litem or an employee or officer of any court or court system.

## 27 FISCAL NOTE REQUIRED

28 (See attached)

29



# 129th MAINE LEGISLATURE

LD 2038

LR 3010(03)

## An Act To Ensure the Safety of State Employees By Allowing Disclosure of Certain Information in Limited Circumstances

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

Minor revenue increase - Other Special Revenue Funds

### Correctional and Judicial Impact Statements

This bill may increase the number of civil suits filed in the court system.

The additional workload associated with the minimal number of new cases filed in the court system does not require additional funding at this time.

The collection of additional filing fees may increase General Fund and other dedicated revenue by minor amounts.