

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
100th LEGISLATURE
SPECIAL SESSION

COMMITTEE AMENDMENT "A" to S.P., 609, L.D. 1680, Bill, "An Act to Revise the Laws Relating to Commitment of the Mentally Ill."

Amend said Bill in that part designated "Sec. 135-A" of section 2 by striking out the first underlined sentence and inserting in place thereof the following underlined sentence:

'The probate court conducting proceedings for the involuntary judicial hospitalization of an individual under sections 175, 185 and 186 shall order that the Department of Mental Health and Corrections be charged in the first instance for any expenses of examination, fees incident to giving notice, fees of attorneys when court appointed, and other proper fees and charges when hospitalization is not ordered and, when hospitalization is ordered, for any expenses of examination and commitment, including fees of attorneys, when court appointed, and fees or charges for notice when served in hand or by certified mail.'

Further amend said Bill in section 2 by striking out all of that part designated "Sec. 135-B." and inserting in place thereof the following underlined section"

'Sec. 135-B. Revolving Fund. There is reappropriated to the Department of Mental Health and Corrections the unexpended balance of "Working Capital Reserve for Institutional Farms", Account #6397. Said sum so reappropriated shall be a revolving fund for the use of said department in carrying out the terms and purposes of section 135-A. This section shall remain effective until repealed by the Legislature at which time the sum reappropriated by this section shall be repaid into the General Fund.'

Further amend said Bill in section 3, by striking out all of the 5th, 6th, 7th, 8th, 9th and 10th lines and inserting in place thereof the following:

'Upon receipt of an application the court shall give notice thereof in hand to the proposed patient, in hand or by certified mail, to his legal guardian, if any known, and to his spouse, parents and nearest known other relative or a parent or one of his adult children, or if none of these persons exist or if their whereabouts are unknown then to one of his next of kin or to a friend. If one of the named persons'

Further amend said Bill in section 4, by striking out all of the underlined 5th, 6th, 7th and 8th lines and inserting in place thereof the following:

'Notice of the hearing shall be given at least 72 hours prior to the time of said hearing, in the same manner as is required for notice of receipt of application, to the person or persons receiving notice of receipt of application, to the applicant in hand or by certified mail, and to such other persons as the court may direct.'

(Filing No. S-309)

COMMITTEE AMENDMENT "A" to S/P. 609, L.D.1680, Bill, "An Act to Revise the Laws Relating to Commitment of the Mentally Ill."

Further amend said Bill by adding at the end, before the emergency clause, the following section:

'Sec. 7. Resolves, 1949, c. 109, repealed. Chapter 109 of the resolves of 1949, as amended by chapter 34 of the resolves of 1951, is repealed.'

Reported by the Committee on JUDICIARY

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(Filing #S-309)

11-29-61