

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

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Legislative Document

No. 657

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H. P. 541

House of Representatives, February 13, 1975

Referred to the Committee on Health and Institutional Services. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Goodwin of South Berwick.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-FIVE

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**AN ACT** Transferring the Institutional Resident Advocate Program of the Department of Mental Health and Corrections to the Human Rights Commission.

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Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 5 MRSA c. 337, sub-c. II-A is enacted to read:

**SUBCHAPTER II-A  
OFFICE OF ADVOCACY**

§ 4567. Powers and duties

The Office of Advocacy is established within the Maine Human Rights Commission for the purposes of investigating the claims and grievances of current residents of the various institutions and facilities administered by the Department of Mental Health and Corrections, investigating the claims and grievances of patients and persons receiving services from the various community mental health centers and providing administrative advocates for such persons in seeking compliance with all laws, administrative rules and regulations and institutional policies relating to the rights and dignity of institutional residents and persons receiving services from the Department of Mental Health and Corrections.

In carrying out its duties under the administrative supervision of the commission, the office may investigate complaints of institutional residents and clients of the Department of Mental Health and Corrections, assist in the initiation of grievance proceedings on behalf of such persons, recommend changes in institutional living conditions and services, make and publish re-

ports, assist institutional advisory bodies and undertake other activities reasonably necessary to the performance of their responsibilities under this section.

Each residential facility administered by the Department of Mental Health and Corrections shall provide adequate office space, facilities, utilities and incidental supplies and services for use by resident advocates in the performance of their duties at the institution.

**Sec. 2. Amendatory clause.** For the purpose of transferring the resident advocacy function from the Department of Mental Health and Corrections to the Maine Human Rights Commission, and notwithstanding Title 5, section 1585, the staff and all accrued expenditures, assets, liabilities, balances of appropriations, transfers, revenues or other available funds allocated to the existing institutional resident advocates of the Department of Mental Health and Corrections shall be transferred to the Maine Human Rights Commission by the State Controller and the State Budget Officer within 30 days from the effective date of this Act.

#### STATEMENT OF FACT

This legislation simply transfers the existing institutional resident advocate program of the Department of Mental Health and Corrections to the administrative supervision of the Human Rights Commission, in order to assure the continued independence of resident advocates in investigating grievances against the department.

This legislation is supported by recommendation #60 of the report of the Governor's Task Force on Corrections.