

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
108TH LEGISLATURE
FIRST REGULAR SESSION

(Filing No. S-336)

COMMITTEE AMENDMENT "A " to S.P. 385, L.D. 1330, Bill,
"AN ACT Pertaining to Hospitals for the Mentally Ill."

Amend the Bill by striking out all of section 7.

Further amend the Bill in section 8 by striking out in
the 3rd line the word "staffs" and inserting in its place
the following: '~~staffs~~ staff'

Further amend the Bill by striking out all of section 9
and 10 and inserting in their place the following:

'Sec. 9. 34 MRSA §1, first ¶, as amended by PL 1975, c. 756,
§10, is ^{further} amended to read:

The Department of Mental Health and Corrections, as heretofore
established, hereinafter in this Title called the "department,"
shall have general supervision, management and control of the
research and planning, grounds, buildings and property, officers
and employees, and patients and inmates of all/^{of}the following
state institutions: The ~~hospitals~~ hospital for the mentally ill,
Pineland Center, the State Prison, the Maine Correctional Center,
the Maine Youth Center, the Military and Naval Children's Home
and such other charitable and correctional state institutions
as may be created from time to time.

Sec. 10. 34 MRSA §2101, as amended by P&SL 1973, c. 53, is repealed and the following enacted in its place:

§2101. Maintenance; location

The State shall maintain a hospital for the mentally ill called the Maine Mental Health Institute on 2 campuses. The 2 campuses shall be in Augusta at the site of the institution formerly known as the Augusta Mental Health Institute and in Bangor at the site of the institution formerly known as the Bangor Mental Health Institute.'

Further amend the Bill in section 12 by striking out all of the first underlined sentence after the amending clause and inserting in its place the following:

'The Superintendent of the Maine Mental Health Institute shall, with the consent of the commissioner, appoint and set the salary for a chief administrator,
(at the Bangor campus of the Maine Mental Health Institute.'

Further amend the Bill by striking out all of sections 14, 15 and 16 and inserting in their place the following:

'Sec. 14. Transitional provision. All accrued expenditures, assets, liabilities, balances of appropriations, transfers, revenues or other available funds in any account, or subdivision of any account, belonging^{to} or intended for the institution heretofore known as the Augusta Mental Health Institute or the institution heretofore known as the Bangor Mental Health Institute shall be transferred and assigned to the Maine Mental Health Institute on the effective date of this Act.

Sec. 15. Employee status. On the effective date of this Act, all personnel employed at the organizational units formerly known as the Augusta Mental Health Institute and the Bangor Mental Health Institute shall be considered employees of the Maine Mental Health Institute. For purposes of layoff, the 2 campuses of the Maine Mental Health Institute shall be considered as separate organizational units.

The number of permanent positions authorized for each of the institutions formerly known as the Augusta Mental Health Institute and the Bangor Mental Health Institute shall represent the total number of permanent positions authorized at any one time at the Augusta and Bangor campuses, respectively, of the Maine Mental Health Institute.

The superintendent of the institution heretofore known as the Augusta Mental Health Institute shall be considered the superintendent of the Maine Mental Health Institute upon the effective date of this Act.

All provisions of this Act which affect the seniority and reemployment rights of employees shall apply equally to classified and unclassified employees.

Sec. 16. Admissions to be considered at the Maine Mental Health Institute. Admissions and commitments to the facilities heretofore known as the Augusta Mental Health Institute and Bangor Mental Health Institute shall be considered to be to the Maine Mental Health Institute as of the effective date of this Act.'

Further amend the Bill by inserting at the end before the statement of fact the following:

Sec. 18. Transfer of/ programs prohibited. No transfer of mental health programs shall be made between the 2 campuses of the Maine Mental Health Institute.

Sec. 19. Policy. It is the intent of the Legislature that this Act, by consolidating the administrative frameworks of the 2 former mental health institutes, shall be the first step in the deliberate development of a comprehensive and fully integrated mental health service system. In the development of this system, funds shall be allocated to assure that any Maine citizen shall have access to a full range of mental health services. These services shall be provided according to the principal of the least restrictive alternative.

The 2nd step in the development of this system shall be the completion and submission to the Legislature of the plan required under section 17.

The 3rd step in the development of this system shall be legislative review and action to approve a plan, and the subsequent implementation by the department of recommendations contained in this plan approved by the Legislature which relate to the improvement of institutional and community-based mental health care. Any recommendations shall be consistent with the provisions of the first paragraph of this section.

It is the intent of the Legislature that a plan shall be approved and its implementation shall be initiated by October 1, 1978.

Sec. 20. Effective date. Section 18 and the 2nd paragraph of section 15 shall be in effect until October 1, 1978.'

Statement of Fact

The purposes of this amendment are to:

1. Create the Maine Mental Health Institute on the 2 campuses of the existing mental health institutes;
2. Ensure that employees of the existing mental health institutes become employees of the Maine Mental Health Institute;
3. Provide that for purposes of layoffs the 2 campuses will continue to be considered as separate organizational units;
4. Prohibit any transfer of mental health programs between the 2 campuses;
5. Provide that the present superintendent of the Augusta Mental Health Institute will be the superintendent of the Maine Mental Health Institute;
6. Establish that the current authorized employee levels at the respective institutes shall be the maximum authorized employee levels at the Maine Mental Health Institute;
7. Declare in a general policy statement that the Legislature intends to develop a fully integrated mental health system which will provide services according to the principal of the least restrictive alternative;
8. Provide that the system will be established in 3 steps; A. Consolidation of the administrations of the 2 existing mental health institutes; B. Submission of a plan by the department to the Legislature; and C. Legislative review and approval of a plan of action for further development of the system; and

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9. Declare that the 3rd step shall be completed so that implementation of a plan can be initiated by October 1, 1978.

Reported by the Committee on Health and Institutional Services.

Reproduced and distributed pursuant to Senate Rule 11-A.

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