

MAINE STATE LEGISLATURE

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IF R.

STATE OF MAINE
SENATE
110TH LEGISLATURE
FIRST REGULAR SESSION

(Filing No. S-22)

COMMITTEE AMENDMENT " A " to S.P. 144, L.D. 315, Bill,
"AN ACT to Amend and Clarify the Procedure to File and
Appeal Claims by Patients, Inmates or Prisoners."

Amend the bill by striking out in the title the word
"Prisoners" and inserting in its place the word 'Residents'

Further amend the bill by inserting after section 1 the
following:

'Sec. 2. 5 MRSA §1510-A, sub-§1, 2nd ¶, as amended by
PL 1979, c. 672, §2, is further amended to read:

These claims shall include, but shall not be limited to,
claims for damage or injury caused by patients, inmates,
~~prisoners~~ residents in the care or custody of the Depart-
ment of Mental Health and Corrections or of any institution
administered by a department, by children in the custody of
the Department of Human Services and for damage to sheep done
by dogs or wild animals.'

Further amend the bill by renumbering section 2 to be
section 3.

Further amend the bill by inserting before the emergency
clause the following:

'Sec. 4. 34 MRSA §1-A, sub-§1, as enacted by PL 1975,
c. 507, is amended by adding after the first sentence a new
sentence to read:

The office may take action on complaints pursuant to this

section involving claims against the Department of Mental Health and Corrections for \$2,000 or less.'

Statement of Fact

This amendment corrects the reference to prisoners by substituting the appropriate term residents. It also adds a section in the Revised Statutes, Title 34 to clarify the authority of the Office of Advocacy in the Department of Mental Health and Corrections to insure it is consistent with the changes proposed by the original bill.

Reported by the Committee on Judiciary.

Reproduced and distributed pursuant to Senate Rule 11-A.

February 20, 1981

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