

# MAINE STATE LEGISLATURE

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L.D. 832

2

(Filing No. H- 346 )

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
111TH LEGISLATURE  
FIRST REGULAR SESSION

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COMMITTEE AMENDMENT "A" to H.P. 583, L.D. 832,  
8 Bill, "AN ACT to Recodify the Statutes Relating to  
9 Corrections and Mental Health and Mental Retarda-  
10 tion."

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Amend the bill in section 4, in that part desig-  
12 nated "§1709." in the 10th line (page 6, line 27 in  
13 L.D.) by inserting after the underlined word "inhabi-  
14 tant" the following: 'L'

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Further amend the bill in section 4, in that part  
16 designated "§1752" in the last line (page 8, line 18  
17 in L.D.) by inserting after the underlined word  
18 "jail" the following: 'or who was transferred to  
19 that particular jail from another correctional facil-  
20 ity where he was serving a sentence'

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Further amend the bill in section 4, in that part  
22 designated "§1754." in the 2nd line (page 8, line 29  
23 in L.D.) by striking out the underlined figure "953"  
24 and inserting in its place the following: '1753'

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Further amend the bill in section 4, in that part  
26 designated "§1756." in the 6th line (page 9, line 17  
27 in L.D.) by striking out the underlined words "A  
28 prisoner" and inserting in their place the following:  
29 "Prisoners'

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Further amend the bill in section 4, in that part  
31 designated "§1756." in the 7th line (page 9, line 18  
32 in L.D.) by striking out the underlined word "him"  
33 and inserting in its place the following: 'them'

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Further amend the bill in section 4, in that part  
35 designated "§1804." subsection 3, by striking out all  
36 of the 2nd underlined sentence (page 12, lines 12 to  
37 19 in L.D.) and inserting in its place the following:

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1 'The wages or salaries are not subject to trustee  
2 process in the hands of either the employer or the  
3 sheriff, and the self-employment income is not sub-  
4 ject to trustee process in the hands of the sheriff  
5 during the prisoner's term and shall be disbursed  
6 only as provided in this section; but for tax pur-  
7 poses they are income of the prisoner.'

8 Further amend the bill in section 4, in that part  
9 designated "§1804." in subsection 7, in the first  
10 line (page 13, line 19 in L.D.) by striking out the  
11 underlined words "Dependents evaluation of need" and  
12 inserting in their place the following: 'Evaluation  
13 of need of dependents'

14 Further amend the bill in section 4, in that part  
15 designated "§1805." by striking out all of the first  
16 paragraph (page 14, lines 10 to 17 in L.D.) and  
17 inserting in its place the following:

18 'The sheriff is authorized to establish regula-  
19 tions for and to permit a prisoner under the final  
20 sentence of a court a furlough from the county jail  
21 in which he is confined. Furlough may be granted for  
22 not more than 3 days at one time in order to permit  
23 the prisoner to visit a dying relative or to obtain  
24 medical services, which may be for a period of longer  
25 than 3 days if medically required or for any other  
26 reason consistent with the rehabilitation of an  
27 inmate or prisoner which is consistent with the laws,  
28 rules or regulations of the department.'

29 Further amend the bill in section 4, in that part  
30 designated "§1806." in the 2nd line (page 15, line 5  
31 in L.D.) by striking out the underlined word "work"  
32 and inserting in its place the following: 'works'

33 Further amend the bill in section 4, in that part  
34 designated "§1806." in the first paragraph in the 3rd  
35 line (page 15, line 8 in L.D.) by striking out the  
36 underlined word "work-related" and inserting in its

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1 place the following: 'works-related'

2 Further amend the bill in section 4, in that part  
3 designated "§1806." in the 2nd paragraph, in the  
4 first line (page 15, line 14 in L.D.) by striking out  
5 the underlined word "work-related" and inserting in  
6 its place the following: 'works-related'

7 Further amend the bill in section 4, in that part  
8 designated "§1806." in the 2nd paragraph, in the 4th  
9 line (page 15, line 17 in L.D.) by striking out the  
10 underlined word "ever" and inserting in its place the  
11 following: 'every'

12 Further amend the bill in section 4, in that part  
13 designated "§1853." in the 6th line (page 16, line 6  
14 in L.D.) by striking out the underlined words "such  
15 as" and inserting in its place the following: 'those  
16 who'

17 Further amend the bill in section 4, in that part  
18 designated "§1856." in the 14th line (page 17, line  
19 32 in L.D.) by striking out the underlined words  
20 "found to be true" and inserting in their place the  
21 following: 'found true'

22 Further amend the bill in section 4, in that part  
23 designated "§1857." in the 4th line (page 18, line 16  
24 in L.D.) by striking out the following: "subchapter  
25 VI" and inserting in its place the following:  
26 'subchapter IV'

27 Further amend the bill in section 4, in that part  
28 designated "§1858." in the 3rd line (page 18, line 21  
29 in L.D.) by striking out the underlined word  
30 "workships" and inserting in its place the following:  
31 'workshops'

32 Further amend the bill in section 6, in that part  
33 designated "§1206." in subsection 1, paragraph B, in  
34 the first and 2nd lines (page 27, lines 23 and 24 in  
35 L.D.) by striking out the underlined words "state

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1 governmental" and inserting in their place the fol-  
2 lowing: 'public'

3 Further amend the bill in section 6, in that part  
4 designated "§1206." in subsection 1, paragraph C, in  
5 the last line (page 27, line 35 in L.D.) inserting  
6 after the underlined words "provision of" the follow-  
7 ing: 'a'

8 Further amend the bill in section 6, in that part  
9 designated "§1206." in subsection 2, in the 3rd line  
10 (page 28, line 21 in L.D.) by inserting after the  
11 underlined word "supporting" the following: 'a'

12 Further amend the bill in section 6, in that part  
13 designated "§1402." in subsection 3, paragraph B, in  
14 the first line (page 31, line 11 in L.D.) by insert-  
15 ing after the underlined word "rules" the following:  
16 ', regulations, procedures and practices'

17 Further amend the bill in section 6, in that part  
18 designated "§1402." in subsection 5, in the last line  
19 (page 31, line 34 in L.D.) by striking out the under-  
20 lined words "under section 1203, subsection 3" and  
21 inserting in their place the following: 'as de-  
22 scribed in section 1203'

23 Further amend the bill in section 6, in that part  
24 designated "§3002." in subsection 1, in the 3rd, 4th  
25 and 5th lines (page 36, lines 1, 2 and 3 in L.D.) by  
26 striking out the following: "and for the Governor  
27 Baxter School for the Deaf within the Department of  
28 Educational and Cultural Services"

29 Further amend the bill in section 6, in that part  
30 designated "§3003." in subsection 1, paragraph B, in  
31 the last line (page 37, line 7 in L.D.) by striking  
32 out the underlined word "and"

33 Further amend the bill in section 6, in that part  
34 designated "§3003." in subsection 1, paragraph C, in  
35 the last line (page 37, line 10 in L.D.) by striking

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1 out the figure and punctuation "503." and inserting in  
2 their place the following: "503; and"

3 Further amend the bill in section 6, in that part  
4 designated "§3003." in subsection 1, by inserting at  
5 the end the following:

6 'D Inmate financial records. The Commissioner  
7 of Corrections may provide information on inmate  
8 employment and earnings to other state agencies  
9 and the Federal Government for the purposes of  
10 determining inmate tax liability or child support  
11 obligations.'

12 Further amend the bill in section 6, in that part  
13 designated "§3007." in the first paragraph, in the  
14 last line (page 38, line 30 in L.D.) by striking out  
15 the underlined words "or federal office" and insert-  
16 ing in their place the following: "office or federal  
17 office in this State'

18 Further amend the bill in section 6, in that part  
19 designated "§3009." in subsection 4, by striking out  
20 all of the first line (page 40, line 24 in L.D.) and  
21 inserting in its place the following: "4. Prohibited  
22 acts; fines. Prohibited acts and fines under this'

23 Further amend the bill in section 6, in that part  
24 designated "§3031." in subsection 6, in the last line  
25 (page 41, line 25 in L.D.) by striking out the under-  
26 lined word "and"

27 Further amend the bill in section 6, in that part  
28 designated "§3031." in subsection 7, in the first  
29 line (page 41, line 26 in L.D.) by striking out the  
30 underlined word "reasonable" and inserting in its  
31 place the following: "reasonably'

32 Further amend the bill in section 6, in that part  
33 designated "§3031." in subsection 7, in the last line  
34 (page 41, line 28 in L.D.) by striking out the under-  
35 lined word and punctuation "effects." and inserting

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1 in their place the following: 'effects; and'

2 Further amend the bill in section 6, in that part  
3 designated "§3031." by inserting at the end the fol-  
4 lowing:

5 '8. Visitation. A reasonable opportunity to  
6 visit with relatives and friends, in accordance with  
7 departmental policies and institutional procedures,  
8 provided that the department may restrict or prohibit  
9 visits when the restriction or prohibition is neces-  
10 sary for the security of the institution.'

11 Further amend the bill in section 6, in that part  
12 designated "§3032." in subsection 6, paragraph D, in  
13 the 2nd line (page 43, line 35 in L.D.) by inserting  
14 after the underlined word "unreasonably" the follow-  
15 ing: 'withheld or'

16 Further amend the bill in section 6, in that part  
17 designated "§3032." in subsection 6, in paragraph E,  
18 in the 3rd line (page 44, line 3 in L.D.) by insert-  
19 ing after the underlined word "unreasonably" the fol-  
20 lowing: 'withheld or'

21 Further amend the bill in section 6, in that part  
22 designated "§3035." in subsection 4, paragraph B, in  
23 the 2nd line (page 47, line 14 in L.D.) by inserting  
24 after the underlined word "that" the following: '  
25 not withstanding Title 17-A.'

26 Further amend the bill in section 6 by inserting  
27 after that part designated "§3038." the following:

28 '§3038-A. Care of children of male committed offend-  
29 ers

30 1. Commitment of child. If any male committed  
31 offender, at the time of his commitment to the Maine  
32 State Prison or the Maine Correctional Center, is the  
33 father of and has under his exclusive care any child  
34 which might otherwise be left without proper care or

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1 guardianship, the judge committing him shall cause  
2 his child to be committed to:

3 A. A children's home provided by law for the  
4 child's care or guardianship;

5 B. The care and custody of some relative or  
6 proper person willing to assume the care; or

7 C. The custody of the Department of Human Ser-  
8 vices.

9 2. Controlling statute. Any commitment of a  
10 child under this section is subject to Title 22, sec-  
11 tions 4006, 4037, 4038, 4061 and 4063.'

12 Further amend the bill in section 6, in that part  
13 designated "§3042." in subsection 1, in the first  
14 line (page 49, line 19 in L.D.) by striking out the  
15 underlined word "warden" and inserting in its place  
16 the following: 'chief administrative officer'

17 Further amend the bill in section 6, in that part  
18 designated "§3043." in subsection 2, in the 4th line  
19 (page 52, line 6 in L.D.) by inserting after the  
20 underlined words "alien to a" the following:  
21 'correctional facility, a county jail or any other'

22 Further amend the bill in section 6, in that part  
23 designated "§3043." in subsection 2, in the 5th line  
24 (page 52, line 7 in L.D.) by inserting after the  
25 underlined word "county" the following: ', city'

26 Further amend the bill in section 6, in that part  
27 designated "§3069." in subsection 2, in the 4th line  
28 (page 59, line 38 in L.D.) by striking out the under-  
29 lined words "hospital for the mentally ill" and  
30 inserting in their place the following: 'mental  
31 health institute'

32 Further amend the bill in section 6, in that part  
33 designated "§3069." in subsection 2, paragraph A, in



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1 the 3rd line (page 60, line 3 in L.D.) by striking  
2 out the underlined words "hospital for the mentally  
3 ill" and inserting in their place the following:  
4 'mental health institute'

5 Further amend the bill in section 6, in that part  
6 designated "§3069." in subsection 2, paragraph D, in  
7 the first line (page 60, line 18 in L.D.) by striking  
8 out the underlined word "hospital" and inserting in  
9 its place the following: 'mental health institute'

10 Further amend the bill in section 6, in that part  
11 designated "§3231." in subsection 3, paragraph J, by  
12 inserting at the end the following:

13 '(4) Notwithstanding the language of this  
14 paragraph, the warden may authorize the sale  
15 of articles produced at the prison and may  
16 authorize any person or business entity pur-  
17 chasing articles from the prison to resell  
18 those articles if the person or entity  
19 requests in writing that authority from the  
20 warden at the time the initial purchase is  
21 made.'

22 Further amend the bill in section 6, in that part  
23 designated "§3236." in subsection 2, in that part  
24 relating to "Duties" in paragraph C, in the first  
25 line (page 69, line 5 in L.D.) by striking out the  
26 underlined word "deligently" and inserting in its  
27 place the following: 'diligently'

28 Further amend the bill in section 6, in that part  
29 designated "§3236." in subsection 2, in that part  
30 relating to "Powers" in the first line (page 69, line  
31 10 in L.D.) by striking out the following:  
32 "2. Powers." and inserting in its place the follow-  
33 ing: '3. Powers.'

34 Further amend the bill in section 6, in that part  
35 designated "§3268." in subsection 2, paragraph A, in  
36 the first line (page 73, line 14 in L.D.) by insert-

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1 ing after the underlined word "Has" the following:  
2 ' , within the 6 months prior to the date of his  
3 parole or discharge, '

4 Further amend the bill in section 6, in that part  
5 designated "§3268." in subsection 2, paragraph B, in  
6 the first line (page 73, line 18 in L.D.) by insert-  
7 ing after the underlined word "Has" the following: ' ,  
8 on the date of his parole or discharge, '

9 Further amend the bill in section 6, in that part  
10 designated "§3402." in subsection 3, paragraph A, in  
11 the 2nd line (page 74, line 27 in L.D.) by inserting  
12 after the underlined word "superintendents" the fol-  
13 lowing: ' , subject to the Personnel Law'

14 Further amend the bill in section 6, in that part  
15 designated "§3403." by inserting at the end the fol-  
16 lowing:

17 '3. Convicted boundover juveniles. Nothing in  
18 this subchapter may be construed to prevent the sen-  
19 tencing of convicted boundover juveniles to other  
20 correctional facilities in this State.'

21 Further amend the bill in section 6, in that part  
22 designated "§3802." in subsection 1, by striking out  
23 all of paragraph B (page 79, lines 16 and 17 in L.D.)  
24 and inserting in its place the following:

25 'B. To administer court-ordered diagnostic  
26 evaluations pursuant to Title 15, section 3309-A,  
27 and court-ordered examinations pursuant to Title  
28 15, section 3318; and'

29 Further amend the bill in section 6, in that part  
30 designated "§3802." in subsection 2, in the 4th line  
31 (page 79, line 24 in L.D.) by inserting after the  
32 underlined word "religion" the following: 'as they  
33 are'

34 Further amend the bill in section 6, in that part

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1 designated "§3805." in subsection 3, in the 3rd line  
2 (page 81, line 3 in L.D.) by inserting after the  
3 underlined word and punctuation "birthdate," the fol-  
4 lowing: 'birthplace,'

5 Further amend the bill in section 6, in that part  
6 designated "§3809." in subsection 1, in the 7th line  
7 (page 81, line 35 in L.D.) by inserting after the  
8 underlined words "anything less" the following:  
9 'restrictive'

10 Further amend the bill in section 6, in that part  
11 designated "§3809." in subsection 2, paragraph D, in  
12 the last line (page 82, line 11 in L.D.) by striking  
13 out the underlined words "offensive behavior" and  
14 inserting in their place the following: 'behavior  
15 described in subsection 1'

16 Further amend the bill in section 6, in that part  
17 designated "§3809." in subsection 2, paragraph E, in  
18 the 5th line (page 82, line 16 in L.D.) by striking  
19 out the underlined punctuation ","

20 Further amend the bill in section 6, in that part  
21 designated "§3809." in subsection 2, paragraph E,  
22 subparagraph (1), in the 3rd line (page 82, line 21  
23 in L.D.) by inserting after the underlined words "to  
24 the" the following: 'juvenile'

25 Further amend the bill in section 6, in that part  
26 designated "§3809." in subsection 2, paragraph E,  
27 subparagraph (2), in the 3rd line (page 82, line 27  
28 in L.D.) by inserting after the underlined words "of  
29 the" the following: 'juvenile'

30 Further amend the bill in section 6, in that part  
31 designated "§3810." in subsection 2, in the 2nd line  
32 (page 83, line 18 in L.D.) by inserting after the  
33 underlined word "juvenile" the following: 'client'

34 Further amend the bill in section 6, in that part  
35 designated "§3810." in subsection 2, paragraph A, in

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1 the 2nd line (page 83, line 21 in L.D.) by inserting  
2 after the underlined words "not the" the following:  
3 'juvenile'

4 Further amend the bill in section 6, in that part  
5 designated "§3810." in subsection 2, paragraph B, in  
6 the 2nd line (page 83, line 24 in L.D.) by striking  
7 out the underlined word "child" and inserting in its  
8 place the following: 'client'

9 Further amend the bill in section 6, in that part  
10 designated "§3810." in subsection 4, in the 5th line  
11 (page 83, line 32 in L.D.) by striking out the under-  
12 lined word "child" and inserting in its place the  
13 following: 'client'

14 Further amend the bill in section 6, in that part  
15 designated "§3811." in the first paragraph, in the 7th  
16 line (page 84, line 8 in L.D.) by striking out the  
17 underlined word "superintendent" and inserting in its  
18 place the following: 'superintendent,'

19 Further amend the bill in section 6, in that part  
20 designated "§5001." in subsection 5, in the 4th line  
21 (page 85, line 16 in L.D.) by striking out the under-  
22 lined figure "25" and inserting in its place the fol-  
23 lowing: '15'

24 Further amend the bill in section 6, in that part  
25 designated "§5003." in subsection 1 by striking out  
26 all of paragraph A (page 86, lines 10 to 13 in L.D.)  
27 and inserting in its place the following:

28 'A. Interference with probation is a Class E  
29 crime, except that, notwithstanding Title 17-A,  
30 it shall be punished by a fine of not more than  
31 \$500 or by imprisonment for not more than 11  
32 months, or by both.'

33 Further amend the bill in section 6, in that part  
34 designated "§5206." in subsection 2, in the first  
35 line (page 88, line 1 in L.D.) by striking out the

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1 underlined word "a" and inserting in its place the  
2 following: 'at'

3 Further amend the bill in section 6, in that part  
4 designated "§5211." in subsection 3, paragraph A, in  
5 the first line (page 89, line 34 in L.D.) by striking  
6 out the underlined word "subpeonas" and inserting in  
7 its place the following: 'subpoenas'

8 Further amend the bill in section 6, in that part  
9 designated "§5401." in subsection 2, in the 2nd line  
10 (page 90, line 30 in L.D.) by inserting after the  
11 underlined word 'officers' the following: ', juve-  
12 nil caseworkers'

13 Further amend the bill in section 6, in that part  
14 designated "§5402." in subsection 2, paragraph A, in  
15 the 2nd line (page 91, line 6 in L.D.) by inserting  
16 after the underlined word "service" the following:  
17 ', juvenile caseworkers'

18 Further amend the bill in section 6, in that part  
19 designated "§5402." in subsection 2, paragraph K, in  
20 the 2nd line (page 91, line 36 in L.D.) by inserting  
21 after the underlined word "officers" the following:  
22 'and for juvenile caseworkers'

23 Further amend the bill in section 6, in that part  
24 designated "§5402." in subsection 3, paragraph C, in  
25 the 2nd line (page 92, line 10 in L.D.) by inserting  
26 after the underlined word "papers" the following:  
27 ',' and by striking out after the underlined word  
28 "board" the following: ','

29 Further amend the bill in section 6, by striking  
30 out all of that part designated "§5602." and insert-  
31 ing in its place the following:

32 '§5602. Juvenile caseworkers

33 1. Departmental employees. Juvenile caseworkers  
34 are employees of the Department of Corrections.

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1           2. Juvenile probation officer func-  
2 tions. Juvenile caseworkers shall carry out the  
3 functions of juvenile probation officers, including  
4 those delineated in the Maine Juvenile Code, Title  
5 15, Part 6.

6           3. Intake worker functions. The intake worker  
7 functions of juvenile caseworkers are governed as  
8 follows.

9           A. Juvenile caseworkers shall carry out the  
10 functions of intake workers delineated in the  
11 Maine Juvenile Code, Title 15, Part 6.

12           B. Statements made by a juvenile to a juvenile  
13 caseworker performing as an intake worker shall  
14 be inadmissible as provided in Title 15, section  
15 3204.

16           4. Maine Youth Center functions. The Maine  
17 Youth Center functions of juvenile caseworkers are  
18 governed as follows.

19           A. Juvenile caseworkers shall provide appropri-  
20 ate services to juveniles committed to the Maine  
21 Youth Center who are on leave or in the community  
22 on entrustment.

23           B. Juvenile caseworkers shall, when directed,  
24 provide information to the Maine Youth Center on  
25 juveniles committed to the Maine Youth Center.

26           5. Investigations. Juvenile caseworkers  
27 appointed under this chapter shall make such investi-  
28 gations as the Juvenile Court may direct and shall  
29 keep those written records of the investigations as  
30 the Juvenile Court may direct.

31           6. Care and custody of juveniles. Each juvenile  
32 caseworker shall use all suitable means, including  
33 counseling, to aid each juvenile under his super-

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1 vision and shall perform such duties in connection  
2 with the care and custody of juveniles as the court  
3 may direct.

4 7. Arrest. With respect to juveniles placed  
5 under their supervision, juvenile caseworkers have  
6 the same arrest powers as other sworn law enforcement  
7 officers.

8 8. Written statement of probation condi-  
9 tions. When any juvenile is placed on probation, the  
10 juvenile caseworker shall give the juvenile a written  
11 statement of the conditions of his probation and  
12 shall fully explain the conditions to him.

13 9. Keeping informed. Each juvenile caseworker  
14 shall keep informed as to the condition and conduct  
15 of each juvenile placed under his supervision and  
16 shall report on the condition and conduct to the  
17 court and to the department as they may direct.

18 10. Records. Each juvenile caseworker shall  
19 keep complete records of all work done.

20 11. Change of residence. Before a juvenile who  
21 is on probation may change his residence, he shall  
22 obtain the permission of his caseworker.

23 A. When a juvenile caseworker learns that a  
24 juvenile under his supervision has changed his  
25 residence to another district, he shall immedi-  
26 ately notify the court.

27 B. The court may then transfer the probation  
28 records of the juvenile to the Juvenile Court of  
29 the district to which the juvenile has moved,  
30 together with a request that that court direct  
31 the probation supervision of the juvenile.

32 C. The Juvenile Court of the district to which  
33 the juvenile has moved shall then place the juve-  
34 nile under probation supervision.

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1 Further amend the bill in section 6, in that part  
2 designated "§7002." by striking out all of subsection  
3 2 and inserting in its place the following:

4 '2. Planning. The department shall carry out  
5 planning for identifying, evaluating and meeting the  
6 service needs for prevention of juvenile crime and  
7 rehabilitation of juveniles adjudicated as having  
8 committed juvenile crimes.'

9 Further amend the bill in section 6, in that part  
10 designated "§7002." in subsection 7, in the first  
11 line (page 103, line 5 in L.D.) by striking out the  
12 underlined words "In regards" and inserting in their  
13 place the following: 'With respect' '

14 Further amend the bill in section 6, by striking  
15 out all of that part designated "§7003."

16 Further amend the bill in section 6, in that part  
17 designated "§7007." in the 2nd line (page 106, line 1  
18 in L.D.) by inserting after the underlined word  
19 "promulgate" the following: 'according to the Maine  
20 Administrative Procedure Act, Title 5, chapter 375'

21 Further amend the bill in section 6, by renumber-  
22 ing those parts designated "§7004. to §7009." to be  
23 '§7003. to §7008.'

24 Further amend the bill in section 6, in that part  
25 designated "§9006." in the 21st line (page 114, line  
26 11 in L.D.) by striking out the underlined word  
27 "delinquent" and inserting in its place the following:  
28 'delinquent'

29 Further amend the bill in section 6, in that part  
30 designated "§9203." in subsection 2, in the 5th line  
31 (page 121, line 12 in L.D.) by striking out the  
32 underlined word "services" and inserting in its  
33 place the following: 'services,'



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1 Further amend the bill in section 6, in that part  
2 designated "§9603." in subsection 3, in the first  
3 line (page 136, line 33 in L.D.) by striking out the  
4 following: "-Notification" and inserting in its  
5 place the underlined word 'Notification'

6 Further amend the bill in section 6, in that part  
7 designated "§9603." in subsection 4, in the first  
8 line (page 136, line 40 in L.D.) by striking out the  
9 following: "-Application" and inserting in its place  
10 the underlined word 'Application'

11 Further amend the bill in section 6, in that part  
12 designated "§9603." in subsection 5, in the first  
13 line (page 137, line 19 in L.D.) by striking out the  
14 following: "-Waiver" and inserting in its place the  
15 underlined word 'Waiver'

16 Further amend the bill in section 6, in that part  
17 designated "§9603." in subsection 6, in the first  
18 line (page 137, line 37 in L.D.) by striking out the  
19 following: "-Escape" and inserting in its place the  
20 underlined word 'Escape'

21 Further amend the bill in section 6, in that part  
22 designated "§9804." in the 4th and 5th lines (page  
23 145, lines 9 and 10 in L.D.) by inserting after the  
24 underlined word "compact" the following: ', '

25 Further amend the bill in section 6, in that part  
26 designated "§9832." in the last line (page 146, line  
27 12 in L.D.) by inserting after the underlined word  
28 "Columbia" the following: ', '

29 Further amend the bill in section 7, in that part  
30 designated "§1202." in subsection 3, in the 3rd line  
31 (page 151, line 7 in L.D.) by striking out the under-  
32 lined word "services" and inserting in its place the  
33 following: 'services'

34 Further amend the bill in section 7, in that part  
35 designated "§1203." in subsection 3, paragraph A, in

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1 the first line (page 151, line 23 in L.D.) by insert-  
2 ing after the underlined word "rules" the following:  
3 ', regulations, procedures and practices'

4 Further amend the bill in section 7, by inserting  
5 after that part designated "§1205." the following:

6 '§1206. Office of Children's Services

7 1. Establishment. There is established within  
8 the department the Office of Children's Services.

9 2. Duties. The duties of the Office of Chil-  
10 dren's Services are as follows.

11 A. The office shall assist in the planning,  
12 coordination and development of mental health  
13 services for children of the ages of 0 to 20  
14 years.

15 B. The office shall work closely with the Bureau  
16 of Mental Health and the Bureau of Mental Retar-  
17 dation to help coordinate services to children  
18 who are mentally ill or mentally retarded.

19 3. Powers. The office may contract for services  
20 with attention paid to ensuring that services are  
21 provided in the least restrictive setting appropriate  
22 to the child's needs, with emphasis on maintaining  
23 each child in his natural home or in a substitute  
24 care placement within the community whenever pos-  
25 sible.

26 Further amend the bill in section 7, by renumber-  
27 ing those parts designated "§1206. to §1210." to be  
28 '§1207. to §1211.'

29 Further amend the bill in section 7, in that part  
30 designated "§1206." in subsection 1, paragraph F in  
31 the 8th line (page 157, line 20 in L.D.) by striking  
32 out the underlined word "if" and inserting in its  
33 place the following: 'provided that,'

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1 Further amend the bill in section 7, in that part  
2 designated "§1206." in subsection 2, paragraph A,  
3 subparagraph (1), in the first line (page 157, line  
4 31 in L.D.) by striking out the underlined word "pro-  
5 vided" and inserting in its place the following:  
6 'approved'

7 Further amend the bill in section 7, in that part  
8 designated "§1206." in subsection 2, paragraph A,  
9 subparagraph (3) in the 3rd line (page 158, line 3 in  
10 L.D.) by striking out the underlined word "does" and  
11 inserting in its place the following: 'do'

12 Further amend the bill in section 7, in that part  
13 designated "§1206." in subsection 2, paragraph B, in  
14 the 4th line (page 158, line 11 in L.D.) by striking  
15 out the underlined word "refers" and inserting in its  
16 place the following: 'refer'

17 Further amend the bill in section 7, in that part  
18 designated "§1206." in subsection 3, paragraph A, in  
19 the 4th line (page 158, line 22 in L.D.) by inserting  
20 after the underlined word "Retardation" the follow-  
21 ing: 'Facilities'

22 Further amend the bill in section 7, in that part  
23 designated "§1206." in subsection 3, paragraph A in  
24 the 6th line (page 158, line 24 in L.D.) by inserting  
25 after the underlined figure and punctuation "88-164,  
26 the following: 'United States Code, Title 42,  
27 Section 6001, et seq.,'

28 Further amend the bill in section 7, in that part  
29 designated "§1207." in subsection 1, paragraph B, in  
30 the first and 2nd lines (page 159, lines 34 and 35 in  
31 L.D.) by striking out the underlined words "state  
32 governmental" and inserting in their place the fol-  
33 lowing: 'public'

34 Further amend the bill in section 7, in that part  
35 designated "§1207." in subsection 1, by inserting at

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1 the end the following:

2 'F. "Public" means municipal, county and other  
3 governmental bodies which are political subdivi-  
4 sions within the State.'

5 Further amend the bill in section 7, in that part  
6 designated "§1208." in subsection 2, paragraph B, in  
7 the first line (page 161, line 34 in L.D.) by insert-  
8 ing after the underlined figure "60%" the following:  
9 '1' and in the 2nd line (page 161, line 35 in L.D.)  
10 by striking out after the underlined word "council"  
11 the following: '1'

12 Further amend the bill in section 7, in that part  
13 designated "§1209." in subsection 1, line 2 (page  
14 163, line 16 in L.D.) by striking out the underlined  
15 figure "12" and inserting in its place the following:  
16 '11'

17 Further amend the bill in section 7, in that part  
18 designated "§1209." in subsection 1, paragraph B, in  
19 the last line (page 163, line 21 in L.D.) by insert-  
20 ing after the underlined word and punctuation  
21 "Senate;" the following: 'and'

22 Further amend the bill in section 7, in that part  
23 designated "§1209." in subsection 1, by striking out  
24 all of paragraph C and relettering paragraph D to be  
25 paragraph C.

26 Further amend the bill in section 7, in that part  
27 designated "§1402." in subsection 2, paragraph A, in  
28 the 2nd line (page 166, line 24 in L.D.) by striking  
29 out the underlined word "of" and inserting in its  
30 place the following: 'to'

31 Further amend the bill in section 7, in that part  
32 designated "§1403." in subsection 1, in the 3rd, 4th  
33 and 5th lines (page 167, lines 13, 14 and 15 in L.D.)  
34 by striking out the underlined words "and for the  
35 Governor Baxter School for the Deaf within the

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1 Department of Educational and Cultural Services"

2 Further amend the bill in section 7, in that part  
3 designated "§1404." in subsection 1, in the 5th line  
4 (page 168, line 8 in L.D.) by inserting after the  
5 underlined word "institutions" the following: ', '

6 Further amend the bill in section 7, in that part  
7 designated "§1408." by striking out all of subsection  
8 1 and inserting in its place the following:

9 '1. Mental illness or mental retarda-  
10 tion. Persons thought to be mentally ill or mentally  
11 retarded; and'

12 Further amend the bill in section 7, in that part  
13 designated "§1408." by striking out all of subsection  
14 2, (page 169, lines 20 to 22 in L.D.) and by renum-  
15 bering subsection 3 to be subsection 2.

16 Further amend the bill in section 7, in that part  
17 designated "§1409." in subsection 10, paragraph A,  
18 subparagraph (3) in the 2nd line (page 173, line 31  
19 in L.D.) by striking out the underlined words  
20 "clergymen's honorarium" and inserting in their place  
21 the following: 'honorarium of the clergy'

22 Further amend the bill in section 7, in that part  
23 designated "§1410." in the first paragraph, in the  
24 last line (page 174, line 28 in L.D.) by striking out  
25 the underlined words "state or federal office" and  
26 inserting in their place the following: 'state  
27 office or federal office in this State'

28 Further amend the bill in section 7, in that part  
29 designated "§1411." in subsection 4, in the first  
30 line (page 176, line 11 in L.D.) by inserting after  
31 the underlined figure and words "4. Prohibited acts"  
32 the following: '; fines'

33 Further amend the bill in section 7, in that part  
34 designated "§1411." in subsection 4, in the first

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1 line (page 176, line 11 in L.D.) by inserting after  
2 the underlined words "Prohibited acts" the following:  
3 'and fines'

4 Further amend the bill in section 7, in that part  
5 designated "§1412." in subsection 1, in the 2nd line  
6 (page 176, line 33 in L.D.) by striking out the  
7 underlined word "affairs" and inserting in its place  
8 the following: 'operations'

9 Further amend the bill in section 7, in that part  
10 designated "§1412." in subsection 4, in the first  
11 line (page 177, line 12 in L.D.) by striking out the  
12 underlined word "Veteran's" and inserting in its  
13 place the following: 'Veterans'

14 Further amend the bill in section 7, in that part  
15 designated "§1412." in subsection 5, in the first  
16 line (page 177, line 17 in L.D.) by striking out the  
17 underlined words "Training programs" and inserting in  
18 their place the following: 'Educational or voca-  
19 tional training programs'

20 Further amend the bill in section 7, in that part  
21 designated "§1412." by inserting at the end the fol-  
22 lowing:

23 '6. Board of visitors. There is established a  
24 Board of Visitors for the Military and Naval Chil-  
25 dren's Home which shall provide advice and direction  
26 to the commissioner concerning the changes necessary  
27 to ensure maximum utilization of the facility.

28 A. The board shall consist of 9 members and  
29 shall include:

30 (1) The Associate Commissioner of Programs  
31 of the department;

32 (2) A representative from the Bath commu-  
33 nity;

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1                   (3) The Bath Elementary School principal or  
2                   a similar school official;

3                   (4) A representative from an alcohol treat-  
4                   ment center;

5                   (5) A social worker assigned to the home;

6                   (6) A designee of a veterans' organization;

7                   (7) Two citizens from outside the Bath  
8                   area; and

9                   (8) One member appointed from the Depart-  
10                   ment of Human Services, Division of Child  
11                   and Family Services.

12                   B. The commissioner, with the advice and consent  
13                   of the joint standing committee of the Legis-  
14                   lature having jurisdiction over audit and program  
15                   review, shall appoint the members of the board,  
16                   except that the Commissioner of Human Services  
17                   shall appoint the member from the Division of  
18                   Child and Family Services.

19                   C. Members shall be appointed for terms not to  
20                   exceed 3 years.

21                   D. Members' terms shall be staggered so that no  
22                   more than 3 expire in any one year.

23                   E. The board shall be responsible for:

24                   (1) Assisting in the development of policy  
25                   and program changes regarding the use of the  
26                   home;

27                   (2) Monitoring the progress made toward the  
28                   objectives outlined and presented during the  
29                   home's current transition; and

30                   (3) Providing continuing oversight of the

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1                   home, its programs and its policies.

2                   F. By the first day of each January and July in  
3 the years 1984 and 1985, the department shall  
4 report to the joint standing committee of the  
5 Legislature having jurisdiction over audit and  
6 program review on its efforts to improve the  
7 operation of the home, and the committee shall  
8 work with the department and board in ensuring  
9 that efficient use is made of the home.'

10                   Further amend the bill in section 7, by striking  
11 out all of that part designated "§1413."

12                   Further amend the bill in section 7, in that part  
13 designated "§1433." in subsection 1, in the 9th line  
14 (page 180, line 27 in L.D.) by striking out after the  
15 underlined word "officer" the following: ', '

16                   Further amend the bill in section 7, in that part  
17 designated "§3202." in subsection 2, in the 3rd line  
18 (page 184, line 31 in L.D.) by striking out the  
19 underlined word "psychologist" and inserting in its  
20 place the following: 'psychiatrist'

21                   Further amend the bill in section 7, in that part  
22 designated "§3603." in the 2nd line (page 185, line  
23 33 in L.D.) by inserting after the underlined word  
24 "rules" the following: ', according to the Maine  
25 Administrative Procedure Act, Title 5, chapter 375,'

26                   Further amend the bill in section 7, in that part  
27 designated "§3606." in subsection 7, in the first  
28 line (page 188, line 13 in L.D.) by inserting after  
29 the underlined word in the headnote "acts" the fol-  
30 lowing: '; penalties'

31                   Further amend the bill in section 7, in that part  
32 designated "§3606." in subsection 7, in the first  
33 line (page 188, line 13 in L.D.) by inserting after  
34 the underlined word "acts" the following: 'and pen-  
35 alties'



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1 Further amend the bill in section 7, in that part  
2 designated "§3801." in subsection 3, in the first  
3 line (page 189, line 8 in L.D.) by inserting after  
4 the underlined word "Licensed" (2 times) the follow-  
5 ing: 'clinical' (2 times)

6 Further amend the bill in section 7, in that part  
7 designated "§3803." in subsection 4, paragraph A, in  
8 the 2nd and 3rd lines (page 192, lines 20 and 21 in  
9 L.D.) by striking out the underlined word "clergyman"  
10 and inserting in its place the following: 'member of  
11 the clergy of his choice'

12 Further amend the bill in section 7, in that part  
13 designated "§3803." in subsection 5, in the 4th line  
14 (page 192, line 29 in L.D.) by striking out the  
15 underlined words "his clergyman" and inserting in  
16 their place the following: 'a member of the clergy  
17 of his choice'

18 Further amend the bill in section 7, in that part  
19 designated "§3805." in the first line (page 193, line  
20 1 in L.D.) by inserting after the underlined word  
21 "acts" the following: '; penalty'

22 Further amend the bill in section 7, in that part  
23 designated "§3805." in subsection 1, in the last line  
24 (page 193, line 5 in L.D.) and in subsection 2, in  
25 the last line (page 193, line 9 in L.D.) by striking  
26 out the underlined word "Title" and inserting in  
27 their place the following: 'subchapter'

28 Further amend the bill in section 7, in that part  
29 designated "§3862." in subsection 1, paragraph B, in  
30 the 4th line (page 195, line 12 in L.D.) by inserting  
31 after the underlined word "licensed" the following:  
32 'clinical'

33 Further amend the bill in section 7, in that part  
34 designated "§3862." in subsection 3, in the 6th line  
35 (page 195, line 34 in L.D.) by inserting after the

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1 underlined word "hours" the following: 'L'

2 Further amend the bill in section 7, in that part  
3 designated "§3863." in subsection 2, in the 3rd and  
4 4th lines (page 196, lines 16 and 17 in L.D.) by  
5 striking out the underlined words "psychologist who  
6 practices clinical psychology" and inserting in their  
7 place the following: 'clinical psychologist'

8 Further amend the bill in section 7, in that part  
9 designated "§3863." in subsection 3, paragraph B,  
10 subparagraph (1) in the first line (page 197, line 6  
11 in L.D.) by striking out the underlined words "For  
12 persons" and inserting in their place the following:  
13 'For a person'

14 Further amend the bill in section 7, in that part  
15 designated "§3863." in subsection 3, paragraph B,  
16 subparagraph (2), in the first line (page 197, line  
17 11 in L.D.) by striking out the underlined words "For  
18 persons" and inserting in their place the following:  
19 'For a person'

20 Further amend the bill in section 7, in that part  
21 designated "§3863." in subsection 6, paragraph A, in  
22 the first line (page 198, line 24 in L.D.) by strik-  
23 ing out the underlined word "legal"

24 Further amend the bill in section 7, in that part  
25 designated "§3863." in subsection 7, paragraph A, in  
26 the 3rd line (page 198, line 35 in L.D.) by inserting  
27 after the underlined word "or" the following:  
28 'licensed'

29 Further amend the bill in section 7, in that part  
30 designated "§3863." in subsection 7, paragraph C, in  
31 the 3rd line (page 199, line 5 in L.D.) by inserting  
32 after the underlined word "or" the following:  
33 'licensed'

34 Further amend the bill in section 7, in that part  
35 designated "§3864." in subsection 2, paragraph A, in

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1 the 3rd line (page 199, line 35 in L.D.) by striking  
2 out the underlined word "legal"

3 Further amend the bill in section 7, in that part  
4 designated "§3864." in subsection 3, paragraph A,  
5 subparagraph (2), in the first line (page 200, line  
6 18 in L.D.) by striking out the underlined word  
7 "legal"

8 Further amend the bill in section 7, in that part  
9 designated "§3864." in subsection 4, paragraph A,  
10 subparagraph (1), in the 2nd and 3rd lines (page 200,  
11 lines 33 and 34 in L.D.) by striking out the under-  
12 lined words "psychologist who practices clinical psy-  
13 chology" and inserting in their place the following:  
14 'clinical psychologist'

15 Further amend the bill in section 7, in that part  
16 designated "§3864." in subsection 11, paragraph D, in  
17 the first line (page 205, line 3 in L.D.) by striking  
18 out the underlined words "of Procedure"

19 Further amend the bill in section 7, in that part  
20 designated "§3865." in subsection 1, in the 3rd line  
21 (page 205, line 18 in L.D.) by striking out the under-  
22 lined words "within or without" and inserting in  
23 their place the following: 'inside or outside'

24 Further amend the bill in section 7, in that part  
25 designated "§3868." in subsection 1, paragraph A, in  
26 the 3rd line (page 207, line 18 in L.D.) by striking  
27 out the underlined word "legal"

28 Further amend the bill in section 7, in that part  
29 designated "§3868." in subsection 1, paragraph B, in  
30 the 3rd line (page 207, line 23 in L.D.) by striking  
31 out the underlined word "legal"

32 Further amend the bill in section 7, in that part  
33 designated "§3870." in subsection 3, paragraph B, in  
34 the 2nd and 3rd lines (page 209, lines 27 and 28 in  
35 L.D.) by striking out the underlined words "volun-

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1 tary patients " and inserting in their place the fol-  
2 lowing: 'a voluntary patient'

3 Further amend the bill in section 7, in that part  
4 designated "§3870." in subsection 4, paragraph B, in  
5 the first line (page 210, line 2 in L.D.) by insert-  
6 ing after the underlined word "not" the following:  
7 'voluntarily'

8 Further amend the bill in section 7, in that part  
9 designated "§3870." in subsection 5, paragraph A,  
10 subparagraph (2), in the first line (page 210, line  
11 30 in L.D.) by striking out the underlined word  
12 "legal"

13 Further amend the bill in section 7, in that part  
14 designated "§3871." subsection 2, paragraph B, in the  
15 2nd and 3rd lines (page 211, lines 20 and 21 in L.D.)  
16 by striking out the underlined word "conditions" and  
17 inserting in its place the following: 'condition'

18 Further amend the bill in section 7, in that part  
19 designated "§3871." subsection 2, paragraph E, in the  
20 3rd line (page 211, line 31 in L.D.) by inserting  
21 after the underlined word "hospital" the following:  
22 ''' and after the underlined word "State" the follow-  
23 ing: '''

24 Further amend the bill in section 7, in that part  
25 designated "§3871." in subsection 3, paragraph A, in  
26 the first line (page 212, line 7 in L.D.) by striking  
27 out the underlined word "legal"

28 Further amend the bill in section 7, in that part  
29 designated "§3871." in subsection 3, paragraph A, in  
30 the 2nd line (page 212, line 8 in L.D.) by inserting  
31 after the underlined word "or" the following:  
32 'adult'

33 Further amend the bill in section 7, in that part  
34 designated "§3871." in subsection 5, paragraph A, in  
35 the last line of the first paragraph (page 212, line

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1 24 in L.D.) by inserting after the underlined word  
2 "has" the following: 'taken'

3 Further amend the bill in section 7, in that part  
4 designated "§3871." in subsection 5, paragraph A,  
5 subparagraph (2), in the first line (page 212, line  
6 27 in L.D.) by striking out the underlined word  
7 "legal"

8 Further amend the bill in section 7, in that part  
9 designated "§5001." by striking out all of subsection  
10 4 and inserting in its place the following:

11 '4. Protective services. "Protective services"  
12 means services which will separate incapacitated  
13 adults from danger, including, but not limited to:

14 A. Social, medical and psychiatric services  
15 necessary to preserve the incapacitated adult's  
16 rights and resources and to maintain the inca-  
17 pacitated adult's physical and mental well-being;  
18 and

19 B. Seeking guardianship or a protective order  
20 under Title 18-A, Article 5.'

21 Further amend the bill in section 7, in that part  
22 designated "§5001." in subsection 6, in the 4th line  
23 (page 214, line 11 in L.D.) by inserting after the  
24 underlined word "possible" the following: ','

25 Further amend the bill in section 7, in that part  
26 designated "§5001." in subsection 6, in the 5th line  
27 (page 214, line 12 in L.D.) by striking out after the  
28 underlined word "including" the following: ','

29 Further amend the bill in section 7, in that part  
30 designated "§5002." in subsection 1, in the last line  
31 (page 214, line 29 in L.D.) by striking out the  
32 underlined word "legal"

33 Further amend the bill in section 7, in that part

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1 designated "§5003." in subsection 2, paragraph E, in  
2 the last line (page 216, line 10 in L.D.) by striking  
3 out the underlined word "economically" and by insert-  
4 ing after the underlined word "resources" the follow-  
5 ing: 'economically'

6 Further amend the bill in section 7, in that part  
7 designated "§5003." in subsection 2, paragraph G,  
8 subparagraph (1) in the 3rd line (page 216, line 20  
9 in L.D.) by striking out the following: "Title 20,  
10 chapter 404" and inserting in its place the follow-  
11 ing: 'Title 20-A, chapter 303'

12 Further amend the bill in section 7, in that part  
13 designated "§5003." in subsection 3, in the first  
14 line (page 217, line 1 in L.D.) by inserting after  
15 the underlined word "commissioner" the following:  
16 ','

17 Further amend the bill in section 7, in that part  
18 designated "§5201." in subsection 1, in the 2nd and  
19 3rd lines (page 217, lines 26 and 27 in L.D.) by  
20 striking out the underlined words "institutions of  
21 the department" and inserting in their place the fol-  
22 lowing: 'state institutions'

23 Further amend the bill in section 7, in that part  
24 designated "§5201." in subsection 4, in the 5th and  
25 6th lines (page 218, lines 5 and 6 in L.D.) by strik-  
26 ing out the underlined words and punctuation "pro-  
27 vided with, insofar as possible" and inserting in  
28 their place the following: 'provided, insofar as  
29 possible, with'

30 Further amend the bill in section 7, in that part  
31 designated "§5202." in subsection 1, in the 3rd and  
32 4th lines (page 218, lines 17 and 18 in L.D.) by  
33 striking out the underlined words and punctuation  
34 "for, subject to the approval of the Governor" and  
35 inserting in their place the following: ', subject  
36 to the approval of the Governor, for'

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1 Further amend the bill in section 7, in that part  
2 designated "§5203." in subsection 1, paragraph A,  
3 subparagraph (2) in the last line (page 219, line 15  
4 in L.D.) by striking out the underlined word "per-  
5 sons" and inserting in its place the following:  
6 'person'

7 Further amend the bill in section 7, in that part  
8 designated "§5203." in subsection 2, paragraph C, in  
9 the 3rd line (page 219, line 31 in L.D.) by striking  
10 out the underlined word "veterans" and inserting in  
11 its place the following: 'veterans'

12 Further amend the bill in section 7, in that part  
13 designated "§5203." in subsection 3, by striking out  
14 all of paragraph B (page 220, lines 5 to 9 in L.D.)  
15 and inserting in its place the following:

16 'B. The bureau shall hold a public hearing  
17 before promulgating, amending or repealing the  
18 rules, and shall give notice of the public hear-  
19 ing in accordance with the Maine Administrative  
20 Procedure Act, Title 5, chapter 375.'

21 Further amend the bill in section 7, in that part  
22 designated "§5402." in subsection 4, paragraph C, in  
23 the 2nd line (page 221, line 36 in L.D.) by striking  
24 out the underlined word "offices" and inserting in  
25 its place the following: 'officers'

26 Further amend the bill in section 7, in that part  
27 designated "§5403." in subsection 1, paragraph A, in  
28 the 2nd and 3rd lines (page 222, lines 6 and 7 in  
29 L.D.) by striking out the underlined words "mentally  
30 retarded persons" and inserting in their place the  
31 following: 'persons who are mentally retarded'

32 Further amend the bill in section 7, in that part  
33 designated "§5431." in the 4th line (page 224, line 3  
34 in L.D.) by inserting after the underlined word  
35 "retardation" the following: 'services and'

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1 Further amend the bill in section 7, in that part  
2 designated "§5431." in the 5th and 6th lines (page  
3 224, lines 4 and 5 in L.D.) by striking out the  
4 underlined words "privately operated" and inserting  
5 in their place the following: 'privately-operated'

6 Further amend the bill in section 7, in that part  
7 designated "§5432." in subsection 3, in the 2nd line  
8 (page 224, line 17 in L.D.) by inserting after the  
9 underlined word "rules" the following: ', according  
10 to the Maine Administrative Procedure Act, Title 5,  
11 chapter 375,'

12 Further amend the bill in section 7, in that part  
13 designated "§5433." in subsection 2, in the 4th and  
14 5th lines (page 224, lines 31 and 32 in L.D.) by  
15 striking out the underlined words "privately oper-  
16 ated" and inserting in their place the following:  
17 'privately-owned'

18 Further amend the bill in section 7, in that part  
19 designated "§5462." in subsection 1, in the 3rd line  
20 (page 228, line 38 in L.D.) by striking out the  
21 underlined words and punctuation "receive, to the  
22 extent possible, needed services" and inserting in  
23 their place the following: 'receive needed services,  
24 to the extent possible'

25 Further amend the bill in section 7, in that part  
26 designated "§5462." in subsection 1, in the 6th line  
27 (page 228, line 41 in L.D.) by striking out the  
28 underlined word "or" and inserting in its place the  
29 following: 'of'

30 Further amend the bill in section 7, in that part  
31 designated "§5462." in subsection 2, paragraph A, in  
32 the 2nd line (page 229, line 13 in L.D.) by striking  
33 out the underlined word "legal"

34 Further amend the bill in section 7, in that part  
35 designated "§5463." in the 3rd line (page 229, line  
36 21 in L.D.) by striking out the underlined word



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1     "legal"

2           Further amend the bill in section 7, in that part  
3 designated "§5468." in the first paragraph, in the  
4 last line (page 231, line 26 in L.D.) by inserting  
5 after the underlined word "factors" the following:  
6     '  '

7           Further amend the bill in section 7, in that part  
8 designated "§5471." in subsection 2, paragraph B, in  
9 the first line (page 234, line 18 in L.D.) by strik-  
10 ing out the underlined word "legal"

11           Further amend the bill in section 7, in that part  
12 designated "§5471." in subsection 2, paragraph C, in  
13 the first line (page 234, line 20 in L.D.) by strik-  
14 ing out the underlined word "legal"

15           Further amend the bill in section 7, in that part  
16 designated "§5471." in subsection 3, paragraph A, in  
17 the 3rd line (page 235, line 9 in L.D.) by striking  
18 out the underlined word "legal"

19           Further amend the bill in section 7, in that part  
20 designated "§5471." in subsection 3, paragraph B, in  
21 the 3rd line (page 235, line 15 in L.D.) by striking  
22 out the underlined word "portion" and inserting in  
23 its place the following: 'part'

24           Further amend the bill in section 7, in that part  
25 designated "§5471." in subsection 4, paragraph A, in  
26 the 4th line (page 235, line 25 in L.D.) by striking  
27 out the underlined word and punctuation "that," and  
28 inserting in their place the underlined word 'that'

29           Further amend the bill in section 7, in that part  
30 designated "§5473." in subsection 1, paragraph B, in  
31 the 3rd line (page 236, line 26 in L.D.) by striking  
32 out the underlined word "legal"

33           Further amend the bill in section 7 in that part  
34 designated "§5473." in subsection 2, paragraph A in

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1 the 3rd line (page 237, line 1 in L.D.) by striking  
2 out the underlined word "legal"

3 Further amend the bill in section 7 in that part  
4 designated "§5474." in subsection 2 in the next to  
5 the last line (page 238, line 10 in L.D.) by striking  
6 out the underlined word "to"

7 Further amend the bill in section 7 in that part  
8 designated "§5475." in subsection 2, paragraph B in  
9 the 4th line (page 239, line 14 in L.D.) by striking  
10 out the underlined word "legal"

11 Further amend the bill in section 7, in that part  
12 designated "§5475." in subsection 3, by inserting at  
13 the end the following:

14 'D. The court may order a public hearing at the  
15 request of the client or his counsel.'

16 Further amend the bill in section 7 in that part  
17 designated "§5475." in subsection 8, paragraph D in  
18 the first line (page 241, line 17 in L.D.) by strik-  
19 ing out the underlined words "Rules of Civil Proce-  
20 dure" and inserting in their place the words 'Civil  
21 Rules'

22 Further amend the bill in section 7 in that part  
23 designated "§5477." in subsection 4, paragraph B in  
24 the 3rd and 4th lines (page 243, lines 12 and 13 in  
25 L.D.) by striking out the underlined words "psychol-  
26 ogist who practices clinical psychology" and insert-  
27 ing in their place the following: 'clinical psychol-  
28 ogist'

29 Further amend the bill in section 7 in that part  
30 designated "§5479." in subsection 2, paragraph A,  
31 subparagraph (4) in the first line (page 246, line 7  
32 in L.D.) by striking out the underlined word "legal"

33 Further amend the bill in section 7 in that part  
34 designated "§5479." in subsection 3, paragraph C in

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1 the first line (page 246, line 22 in L.D.) by strik-  
2 ing out the underlined word and punctuation "office,"  
3 and inserting in their place the underlined word  
4 'office'

5 Further amend the bill in section 7 in that part  
6 designated "§5601." in subsection 5 in the 3rd line  
7 (page 247, line 38 in L.D.) by striking out the  
8 underlined word "persons" and inserting in its place  
9 the underlined word 'person' and in the 4th line  
10 (page 248, line 1 in L.D.) by striking out the under-  
11 lined word "them" and inserting in its place the  
12 underlined word 'him' and in the 5th line (page 248,  
13 line 2 in L.D.) by striking out the underlined words  
14 "every day" and inserting in their place the under-  
15 lined word 'everyday'

16 Further amend the bill in section 7 in that part  
17 designated "§5605." in subsection 3, paragraph A, in  
18 the 2nd line (page 249, line 25 in L.D.) by striking  
19 out the underlined words and punctuation "correspon-  
20 ence, and no" and inserting in their place the fol-  
21 lowing: 'correspondence. No'

22 Further amend the bill in section 7 in that part  
23 designated "§5605." in subsection 3, paragraph A in  
24 the 3rd line from the end (page 249, line 29 in L.D.)  
25 by striking out the underlined word "or" and insert-  
26 ing in its place the underlined words 'nor may he'

27 Further amend the bill in section 7 in that part  
28 designated "§5605." in subsection 8 in paragraph G in  
29 the 3rd line (page 251, line 14 in L.D.) by striking  
30 out the underlined word "the"

31 Further amend the bill in section 7, in that part  
32 designated "§5605." in subsection 8, paragraph G, in  
33 the 6th line (page 251, line 17 in L.D.) by striking  
34 out the underlined words "guardian of the client's  
35 person" and inserting in their place the following:  
36 'client's guardian'

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1 Further amend the bill in section 7, in that part  
2 designated "§5605." in subsection 8, by striking out  
3 all of paragraph H and inserting in its place the  
4 following:

5 'H. Notwithstanding the absence of express and  
6 informed consent, emergency medical care or  
7 treatment may be provided to any client who has  
8 been injured or who is suffering from an acute  
9 illness, disease or condition if delay in initia-  
10 tion of emergency medical care or treatment would  
11 endanger the health of the client.

12 I. Notwithstanding the absence of express and  
13 informed consent, emergency surgical procedures  
14 may be provided to any client who has been  
15 injured or who is suffering from an acute ill-  
16 ness, disease or condition if delay in initiation  
17 of emergency surgery would substantially endanger  
18 the health of the client.'

19 Further amend the bill in section 7 in that part  
20 designated "§5605." in subsection 12, paragraph D,  
21 subparagraph (2) in the 2nd line (page 252, line 35  
22 in L.D.) by striking out the underlined figure and  
23 word "10 minute" and inserting in their place the  
24 following: '10-minute'

25 Further amend the bill in section 7 in that part  
26 designated "§5605." in subsection 14 in the 2nd line  
27 (page 253, line 19 in L.D.) by inserting after the  
28 underlined word and punctuation "restraints," the  
29 following: 'which include totally enclosed cribs and  
30 barred enclosures,'

31 Further amend the bill in section 7 in that part  
32 designated "§5605." in subsection 15, paragraph A in  
33 the 2nd line (page 254, line 15 in L.D.) by striking  
34 out the underlined word "legal" and in the 2nd and  
35 3rd lines (page 254, lines 15 and 16 in L.D.) by  
36 striking out the underlined words "access to records"  
37 and inserting in their place the underlined words

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1     'have access to the records'

2             Further amend the bill in section 7, in that part  
3 designated "§5605." in subsection 15, paragraph B in  
4 the first line (page 254, line 17 in L.D.) by insert-  
5 ing after the underlined word "to" the following:  
6 'have access to'

7             Further amend the bill in section 7, in that part  
8 designated "§5606." in subsection 3, in the first  
9 line (page 255, line 12 in L.D.) by inserting after  
10 the underlined word "acts" the following: '; penalty;  
11 defense'

12             Further amend the bill in section 7 in that part  
13 designated "§5607." in the first paragraph, last line  
14 (page 255, line 27 in L.D.) by striking out the  
15 underlined word "legal"

16             Further amend the bill in section 7, in that part  
17 designated "§7003." by inserting after the first  
18 paragraph the following:

19             '1. Custodian. "Custodian" means the person  
20 having care and custody over the individual seeking  
21 sterilization or the individual for whom steriliza-  
22 tion is sought.'

23             Further amend the bill in section 7, in that part  
24 designated "§7003." by striking out all of subsection  
25 2 and inserting in its place the following:

26             '2. Guardian. "Guardian" means a person who has  
27 qualified as a guardian of a minor or incapacitated  
28 person pursuant to testamentary or court appointment,  
29 but excludes one who is merely a guardian ad litem.'

30             Further amend the bill in section 7, in that part  
31 designated "§7003." by renumbering subsections 1 to 8  
32 to be 2 to 9

33             Further amend the bill in section 7, in that part

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1 designated "§7003." in subsection 5, in the last line  
2 (page 257, line 18 in L.D.) by inserting after the  
3 underlined word and figure "subchapter II" the fol-  
4 lowing: 'or under Title 32, chapter 36, subchap-  
5 ters II and IV'

6 Further amend the bill in section 7 in that part  
7 designated "§7003." in subsection 7 in the last line  
8 (page 257, line 25 in L.D.) by striking out the fol-  
9 lowing: "48, subchapter II" and inserting in its  
10 place the following: '56, subchapter III'

11 Further amend the bill in section 7 in that part  
12 designated "§7006." in subsection 2 in the 2nd line  
13 (page 259, line 4 in L.D.) by striking out the under-  
14 lined word "legal"

15 Further amend the bill in section 7 in that part  
16 designated "§7007." in subsection 2 in the 6th line  
17 (page 259, line 32 in L.D.) by striking out the  
18 underlined word "division" and inserting in its place  
19 the underlined word 'county'

20 Further amend the bill in section 7 in that part  
21 designated "§7007." in subsection 3 in the 4th line  
22 (page 259, line 39 in L.D.) and in the 6th and 10th  
23 lines (page 260, lines 2 and 6 in L.D.) by striking  
24 out the underlined word "legal" (3 times).

25 Further amend the bill in section 7 in that part  
26 designated "§7008." in subsection 2 in the 6th line  
27 (page 260, line 31 in L.D.) by striking out the  
28 underlined word "licensed"

29 Further amend the bill in section 7 in that part  
30 designated "§7009." in subsection 1 in the 3rd line  
31 (page 261, line 40 in L.D.) by striking out the  
32 underlined word "shall" and inserting in its place  
33 the underlined word 'may'

34 Further amend the bill in section 7 in that part  
35 designated "7010." in the 4th line (page 262, line 18

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1 in L.D.) by striking out the underlined word "legal"

2 Further amend the bill in section 7 in that part  
3 designated "§7011." in subsection 2 in the 3rd line  
4 (page 262, line 39 in L.D.) by striking out the  
5 underlined words "spouse or legal" and inserting in  
6 their place the following: 'spouse, custodian or'

7 Further amend the bill in section 7 in that part  
8 designated "§7012." in the 13th and 17th lines (page  
9 264, lines 5 and 9 in L.D.) by striking out the  
10 underlined word "legal" (2 times).

11 Further amend the bill in section 7 in that part  
12 designated "§7013." in subsection 3 in the 7th and  
13 8th lines (page 265, lines 9 and 10 in L.D.) by  
14 striking out the underlined word "licensed"

15 Further amend the bill in section 7 in that part  
16 designated "§9004." in the next to the last line  
17 (page 271, line 18 in L.D.) by striking out the  
18 underlined word "employes" and inserting in its place  
19 the underlined word 'employs'

20 Further amend the bill in section 7, in that part  
21 designated "§9005." in the last line (page 271, line  
22 30 in L.D.) by striking out the underlined word and  
23 punctuation "found," and inserting in its place the  
24 following: 'found'

25 Further amend the bill in section 7 in that part  
26 designated "§9007." in subsection 4 in the 6th line  
27 (page 272, line 25 in L.D.) by striking out the  
28 underlined word "responsible" and inserting in its  
29 place the underlined word and punctuation  
30 'responsible,'

31 Further amend the bill by inserting at the end  
32 before the statement of fact the following:

33 'Effective date. This Act shall take effect on  
34 January 15, 1984.'

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STATEMENT OF FACT

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The purposes of this amendment are to correct grammatical errors and stylistic inconsistencies and to incorporate into the bill other laws passed which affect Title 34. The amendment also includes some material that was inadvertently left out of the recodification.

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