

MAINE STATE LEGISLATURE

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(EMERGENCY)
FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 451

S.P. 154

In Senate, February 20, 1987

Reference to the Committee on Judiciary suggested and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate
Presented by Senator GAUVREAU of Androscoggin.

Cosponsored by Senator BUSTIN of Kennebec, Senator GILL of Cumberland, Representative ROLDE of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 Resolve, to Establish a Commission to Study
2 Treatment Protocol for Severely
3 Incompetent Patients.
4

5 Emergency preamble. Whereas, Acts and resolves
6 of the Legislature do not become effective until 90
7 days after adjournment unless enacted as emergencies;
8 and

9 Whereas, in order for the Commission on Treatment
10 Protocol for Severely Incompetent Patients to complete its study and make its report it is necessary
11 that the commission begin its tasks prior to the expiration of the 90-day period; and
12
13

14 Whereas, in the judgment of the Legislature,
15 these facts create an emergency within the meaning of

1 the Constitution of Maine and require the following
2 legislation as immediately necessary for the preser-
3 vation of the public peace, health and safety; now,
4 therefore, be it

5 Commission established; membership. Resolved:
6 That the Commission on Treatment Protocol for Severely
7 Incompetent Patients is established. The commis-
8 sion shall be comprised of the following members: Two
9 Senators to be appointed by the President of the Sen-
10 ate; 2 members of the House of Representatives to be
11 appointed by the Speaker of the House; the Chief Jus-
12 tice of the Supreme Judicial Court or his designee;
13 one member of the Executive Department; one member of
14 the clergy; one attorney-at-law; one physician; 2
15 members representing hospitals and other health care
16 professionals; and one member of the public to be ap-
17 pointed by the Governor; and be it further

18 Duties. Resolved: That the commission review the
19 status of medical treatment and protocol for severely
20 injured or incompetent individuals when no reasonable
21 expectation of recovery exists; and be it further

22 Staff; compensation. Resolved: That the commis-
23 sion be provided with all necessary independent staff
24 assistance and receive information about problems and
25 services from all appropriate offices of State Gov-
26 ernment.

27 Legislative members of the commission shall re-
28 ceive per diem compensation and all members shall re-
29 ceive compensation for travel and other necessary ex-
30 penses incurred in the performance of their duties;
31 and be it further

32 Report. Resolved: That the commission make its
33 report, together with any necessary implementing leg-
34 islation, to the Second Regular Session of the 113th
35 Legislature no later than January 15, 1988; and be it
36 further

37 Appropriation. Resolved: That the sum of \$10,000
38 be appropriated from the General Fund to the Legisla-
39 tive Account for the Commission to Study Treatment
40 Protocol for Severely Incompetent Patients, to carry
41 out the purposes of this resolve.

