

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

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Legislative Document

No. 738

S.P. 279

Received by the Secretary, February 20, 1991

Submitted by the Department of Mental Health and Mental Retardation pursuant to Joint Rule 24.

Reference to the Committee on Human Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator GILL of Cumberland  
Cosponsored by Senator BALDACCI of Penobscot.

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STATE OF MAINE

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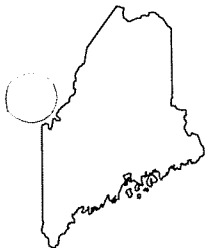
IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY-ONE

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**An Act to Reestablish the Board of Visitors of State Institutions, except for the Augusta Mental Health Institute and the Bangor Mental Health Institute.**

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

2                   Sec. 1. 5 MRSA §12004-I, sub-§60-A is enacted to read:

4                   60-A.                   Board of Visitors           Expenses           34-B MRSA  
6                   Mental Health           (for each state           Only               §1403-A  
8                   and Mental               institution under  
                      Retardation               the Department of  
                                  Mental Health and  
                                  Mental Retardation)

12                   Sec. 2. 34-B MRSA §1403-A is enacted to read:

14                   1403-A. Boards of visitors

16                   1. Appointment. The Governor shall appoint a board of 5  
18                   visitors for each state institution under the department, except  
                      for Augusta Mental Health Institute and Bangor Mental Health  
20                   Institute, as authorized by Title 5, section 12004-I, subsection  
                      60-A.

22                   A. The term of the visitors is for one year.

24                   B. Members of boards of visitors are eligible for  
                      reappointment at the expiration of their terms.

26                   C. A member of the Legislature may not serve on any board  
28                   of visitors.

30                   D. Members of boards of visitors are entitled to  
32                   compensation according to the provisions of Title 5, chapter  
                      379.

34                   2. Powers. Each board of visitors may inspect the  
36                   institution to which it is assigned and may make recommendations  
                      on the management of the institution to the commissioner.

38                   3. Duties. Boards of visitors have the following duties.

40                   A. Boards of visitors shall send copies of all  
42                   recommendations to the members of the joint standing  
                      committee of the Legislature having jurisdiction over health  
44                   and institutional services.

46                   B. Each board of visitors shall appear before the joint  
                      standing committee of the Legislature having jurisdiction  
48                   over health and institutional services upon request.

50                   4. Military and Naval Children's Home. This section does  
                      not apply to the Military and Naval Children's Home.

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## STATEMENT OF FACT

4           The purpose of this bill is to reenact the statute  
6 concerning board of visitors that was repealed by legislation  
8 creating the Maine Commission of Mental Health. The commission's  
10 oversight duties permitted the boards of the mental health  
12 institutes to be disbanded. However, it was not the intent to  
remove the boards of visitors of other institutions. This bill  
reestablishes the boards of visitors, except for the Augusta  
Mental Health Institute and the Bangor Mental Health Institute.