

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

SECOND REGULAR SESSION-1996

Legislative Document

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H.P. 1284

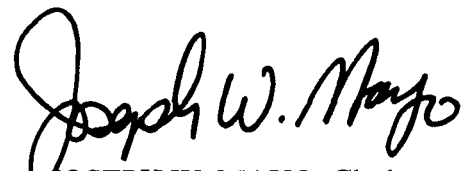
House of Representatives, February 8, 1996

**An Act to Ensure the Proper and Humane Care of Persons Requiring
Mental Health Services.**

(AFTER DEADLINE)

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.
Reference to the Committee on Human Resources suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative MITCHELL of Portland.

Cosponsored by Representatives: BRENNAN of Portland, DAVIDSON of Brunswick, DORE of Auburn, ETNIER of Harpswell, FITZPATRICK of Durham, GWADOSKY of Fairfield, JACQUES of Waterville, JOHNSON of South Portland, JOSEPH of Waterville, JOYNER of Hollis, KERR of Old Orchard Beach, LEMAIRE of Lewiston, LOVETT of Scarborough, MADORE of Augusta, MARVIN of Cape Elizabeth, MITCHELL of Vassalboro, SAMSON of Jay, SAXL of Bangor, SAXL of Portland, STEVENS of Orono, THOMPSON of Naples, TOWNSEND of Portland, WINGLASS of Auburn, Senators: ABROMSON of Cumberland, AMERO of Cumberland, BERUBE of Androscoggin, BUSTIN of Kennebec, CAREY of Kennebec, LONGLEY of Waldo, MICHAUD of Penobscot, PARADIS of Aroostook, PINGREE of Knox, RAND of Cumberland, RUHLIN of Penobscot.

2 **Emergency preamble.** Whereas, Acts of the Legislature do not
become effective until 90 days after adjournment unless enacted
as emergencies; and

4
6 **Whereas,** the discussion concerning closure of state mental
health institutions is ongoing; and

8 **Whereas,** unless this legislation is enacted as an emergency
measure, the continuation of or access to necessary mental health
10 services for those persons requiring such services is in
jeopardy; and

12
14 **Whereas,** in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
16 necessary for the preservation of the public peace, health and
safety; now, therefore,

18
20 **Be it enacted by the People of the State of Maine as follows:**

22 **Sec. 1. 34-B MRSA §3009** is enacted to read:

24 **§3009. Access to mental health services**

26 Any money that is identified as savings due to the closure
of or diminution of services at a state mental health institution
28 must be used to provide mental health services to persons in need
of those services in other appropriate settings and programs,
30 including, but not limited to, community-based mental health
programs.

32 **Emergency clause.** In view of the emergency cited in the
preamble, this Act takes effect when approved.

34
36 **STATEMENT OF FACT**

38 This bill seeks to ensure that persons in need of mental
health services continue to have access to those services by
40 requiring that any money identified as savings due to the closure
of a state mental health facility or a diminution of services at
42 any such facility be used to provide the services in other
appropriate settings and programs.