

MAINE STATE LEGISLATURE

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N I N E T Y - S E V E N T H L E G I S L A T U R E

Legislative Document

No. 1126

H. P. 978

House of Representatives, March 2, 1955

Referred to the Committee on Education, sent up for concurrence and 750 copies ordered printed.

HARVEY R. PEASE, Clerk

Presented by Miss Cormier of Rumford.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-FIVE

AN ACT Relating to Vocational Rehabilitation.

Emergency preamble. Whereas, Public Law 565 enacted by the 83rd Congress expands and affords greater vocational rehabilitation services to the states; and

Whereas, the Vocational Rehabilitation Amendments of 1954, enacted by Public Law 565 of the 83rd Congress and the federal appropriation for vocational rehabilitation make possible and encourage an expansion of services for the benefit of handicapped adults with the object that as many people as possible will be returned to gainful employment and made either partially or wholly self-supporting, as well as taxpayers and contributors to the State and national economy; and

Whereas, the State program is financed from State and Federal funds and is based on a State plan of operation, the new Federal Statute requires that a new and broader State plan be in force on July 1, 1955, and the present Maine plan is based on legislation enacted in the early nineteen-twenties and it not adequate to provide the program which the new legislation makes possible.

Whereas, it is necessary to prepare a State plan of operations and agreement with the Federal Government which will be effective prior to July 1, 1955; and

Whereas, acts and resolves passed by the legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legis-

lation as immediately necessary for the preservation of the public peace, health and safety; now therefore,

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

Sec. 1. R. S., c. 41, § 199, repealed and replaced. Section 199 of chapter 41 of the revised statutes is hereby repealed and the following enacted in place thereof:

'Sec. 199. Vocational rehabilitation; policy; Department of Education as State agency. It is hereby declared to be the policy of this State to provide rehabilitation services to eligible handicapped persons throughout the State to the end that they may engage in useful and remunerative occupations to the extent of their capabilities, thereby increasing their social and economic well-being and that of their families, and the productive capacity of this State and also thereby reducing the burden of dependency on families and taxpayers.

Pursuant to such policies, the Department of Education is hereby designated and established as the sole State agency to provide vocational rehabilitation services to all residents of the State, except the blind as provided for under chapter 25; subject to the approval of the State Board of Education, the Commissioner of Education shall make such rules and regulations as he finds necessary or appropriate to efficient administration of a program of vocational rehabilitation as herein provided for, shall enter into agreements with local, State and Federal agencies providing services relating to vocational rehabilitation, and shall prepare and issue a State plan of vocational rehabilitation which, under the above condition, shall be amended from time to time as appears necessary or desirable.

Sec. 2. R. S., c. 41, § 200, repealed and replaced. Section 200 of chapter 41 of the revised statutes is hereby repealed and the following enacted in place thereof:

'Sec. 200. Appropriation; Federal and other funds. The Legislature shall appropriate for vocational rehabilitation services such sums as it finds necessary. The acceptance of federal and other funds made available for purposes of vocational rehabilitation is hereby authorized and the Commissioner, subject to approval of the State Board of Education, is empowered to cooperate with the appropriate Federal agencies in carrying out the provisions of Public Law 565, 83rd Congress, 2nd Session cited as the "Vocational Rehabilitation Amendments of 1954" and such other federal programs as may concern vocational rehabilitation, and to contract with schools, hospitals and other agencies and with doctors, nurses, technicians and other persons, for training, physical restoration, transportation and other services required to carry on a program of vocational rehabilitation.'

Sec. 3. R. S., c. 41, § 201, repealed and replaced. Section 201 of chapter 41 of the revised statutes is hereby repealed and the following enacted in place thereof:

'Sec. 201. Cooperation with other agencies. In accordance with the provisions of sections 199 to 202, inclusive, the Department of Education shall co-

operate with and utilize the services of State agencies interested in problems related to vocational rehabilitation; shall make use of the services and facilities of the Maine Unemployment Security Commission especially as they relate to job placement and employment counselling services; and shall, subject to such standards and regulations as may be established by the Department, cooperate with other public and nonprofit organizations and agencies as far as possible in providing vocational rehabilitation services.'

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.