

# MAINE STATE LEGISLATURE

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OFFICE OF  
THE GOVERNOR

NO. 3 FY 77/78  
DATE August 25, 1977

TO ESTABLISH THE ADVOCATES FOR THE DEVELOPMENTALLY DISABLED AS THE IMPLEMENTING AGENCY FOR THE DEVELOPMENTAL DISABILITIES PROTECTION AND ADVOCACY SYSTEM

DEVELOPMENTAL DISABILITIES PROTECTION & ADVOCACY SYSTEM

WHEREAS, it is vital to the well-being of developmentally disabled persons in Maine to have a comprehensive advocacy system to protect their individual rights; and

WHEREAS, there needs to be a positive program of protection and advocacy that has the cooperation of the State government, the education system, the university, the service providing community, and the people of Maine; and

WHEREAS, Public Law 94-103, The Developmental Disabilities Assistance and Bill of Rights Act, makes special funds available to the State of Maine to provide and operate a protection and advocacy system for the developmentally disabled;

NOW, THEREFORE, I, James B. Longley, Governor of the State of Maine, designate the Advocates for the Developmentally Disabled as the implementing agency for the system.

PURPOSES OF THE ADVOCATES FOR THE DEVELOPMENTALLY DISABLED:

1. To promote the general welfare of the developmentally disabled wherever they may be.
2. To serve as a source of practical assistance to developmentally disabled persons.
3. To represent the interests of developmentally disabled persons in any negotiations affecting his/her individual rights and preferences.
4. To provide emergency intervention for any developmentally disabled person in jeopardy.
5. To provide referral service to solve practical problems.
6. To recruit, screen, train, and assign advocate friends to individuals in need of them, and subject these relationships to periodic reviews.
7. To assist individual developmentally disabled persons in obtaining guardians, or conservators, in the event the assistance of capable advocate friends proves inadequate to meet the person's needs.

8. To utilize all private and public channels to meet the needs of the individual, and, these failings, to arrange for legal consultation and representation to ensure that due process procedures are provided.

9. To work to the best interests of the individual with existing resources and treatment plans for developmentally disabled individuals.

10. To solicit and receive funds for the accomplishment of the above purposes.

DUTIES:

a. To receive and investigate complaints made by individuals with regard to infringement of basic human rights as provided for by the Constitutions of the United States and the State of Maine, as well as by the Maine Human Rights Act.

b. To pursue all appropriate remedies, whether administrative, legal, or other, to ensure the protection of individual rights of developmentally disabled persons.

c. To provide emergency intervention for developmentally disabled persons in jeopardy.


d. To carry out the purposes of the Corporation in compliance with the Federal Act (P.L. 94-103) and regulations pursuant to it.

ORGANIZATION

The Advocates for the Developmentally Disabled is designated as the Agency to implement the State's protection and advocacy system. The Advocates for the Developmentally Disabled shall be organized as a private non-profit corporation in compliance with the purposes and duties cited in this Order. The funding shall be provided to the Advocates for the Developmentally Disabled Agency with monitoring being provided by the Maine Planning Council on Developmental Disabilities.

POWERS AND PROCEDURES

The Advocates for the Developmentally Disabled shall have the necessary authority to carry out the purposes and duties cited in this Order and to hold public meetings as necessary. State departments and their employees are directed to cooperate fully in carrying out the purposes of this Agency.

  
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JAMES B. LONGLEY  
Governor