

MAINE STATE LEGISLATURE

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(EMERGENCY)
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NEW DRAFT OF: S. P. 556, L. D. 1451

ONE HUNDRED AND THIRD LEGISLATURE

Legislative Document

No. 1632

S. P. 631

In Senate, May 4, 1967

Reported by Senator Lund of Kennebec, from the Committee on State Government. Printed under Joint Rules No. 18.

JERROLD B. SPEERS, Secretary

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-SEVEN

AN ACT to Establish an Office of Mental Retardation.

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

Whereas, the solution of problems of the mentally retarded is of vital importance to the welfare of the State of Maine; and

Whereas, it is vitally necessary that the following legislation become effective on July 1st so that efforts may be continued to solve these problems; and

Whereas, vital activities including mental retardation facilities construction planning involving federal support, and mental retardation planning implementation under federal support, are presently the responsibility of the Maine Committee on Problems of the Mentally Retarded which ceases to have a statutory authority for continuation beyond July 1, 1967; 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 legislation 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., T. 34, c. 184, additional. Title 34 of the Revised Statutes is amended by adding a new chapter 184, to read as follows:

CHAPTER 184
MENTAL RETARDATION

§ 2071. Office

There shall be established an Office of Mental Retardation with an office in the State House to serve the needs of an Interdepartmental Board on Mental Retardation and an Advisory Council on Mental Retardation and to carry out the purposes of this chapter.

§ 2072. Interdepartmental board

The Governor shall name an Interdepartmental Board on Mental Retardation which, with the advice of the Advisory Council on Mental Retardation, shall be the planning and coordinating agency and when appropriate and feasible the implementing agency for mental retardation programs.

§ 2073. Composition; chairman; meetings

The board shall consist of 2 representatives from each of the following agencies: Department of Health and Welfare, Department of Mental Health and Corrections and Department of Education; and one representative from each of the following agencies: Department of Labor and Industry, Maine Employment Security Commission, the Advisory Council on Mental Retardation and the Division of Vocational Rehabilitation in the Department of Education.

All members representing state departments shall rank as division heads, program directors or higher, to be designated by the department head.

The Governor shall name the chairman to serve for 2 years, with this duty not to be repeated until at least 2 other members shall have served as chairman.

The chairman shall call meetings as frequently as the need arises or within 7 days of receiving written requests of 3 appointed committee members.

§ 2074. Board authorized

The board is authorized and empowered to accept for the State federal funds appropriated under federal law relating to mental retardation, and to do such acts as are necessary for the purpose of carrying out such federal law; and to accept from any other agency of government, individual, group or corporation such funds as may be available in carrying out this chapter.

§ 2075. Staff; duties

The board, with the approval of the council, shall be empowered to employ necessary staff assistance with offices in Augusta. The staff shall execute such policies and programs and duties as requested by the board with the advice of the advisory council. The staff shall advise appropriate departments or agencies and the board shall be advised of all applications for grants from foundations, the State, the Federal Government and other financial sources relating directly to and assisting in implementing programs for the mentally retarded.

§ 2076. Advisory council

The Governor shall appoint an Advisory Council on Mental Retardation responsible to him, consisting of 12 representative citizens, shall designate a chairman who shall serve for 3 years, the membership to include one representative from the House of Representatives, one from the Senate and the President of the Maine Association for Retarded Children. Of the 9 remaining members whose terms shall be 3 years, of those first appointed, 3 shall be appointed for one year, 3 for 2 years and 3 for 3 years.

§ 2077. Duties

The advisory council shall consider the needs of the mentally retarded in Maine, evaluate present and potential programs and offer guidance and assistance to the interdepartmental board in planning and executing comprehensive programs to benefit the mentally retarded. The council shall take notice of and advise various groups and communities in their projects and programs for the mentally retarded, with special attention to regional and local special programs and projects.

§ 2078. Meetings; expenses

The council shall meet at the place and time designated by the chairman, but not less than 6 times per year. The members shall be paid their necessary expenses incurred in the performance of their duties.

Sec. 2. Appropriation. There is appropriated from the General Fund to the Office of Mental Retardation the sum of \$25,888 for the fiscal year ending June 30, 1968 and \$34,602 for the fiscal year ending June 30, 1969 to carry out the purposes of this Act according to the following schedule:

OFFICE OF MENTAL RETARDATION	1967-68		1968-69	
Personal Services	(4)	\$22,338	(4)	\$30,602
All Other		3,000		4,000
Capital Expenditures		550		—
		\$25,888		\$34,602

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect July 1, 1967.