

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 422

S. P. 153

In Senate, January 28, 1971

Referred to Committee on Health and Institutional Services. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Mrs. Carswell of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

AN ACT Relating to Community Mental Retardation Services.

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

Sec. 1. R. S., T. 34, § 2051, amended. Section 2051 of Title 34 of the Revised Statutes is amended to read as follows:

§ 2051. Purpose

The ~~purpose purposes~~ of this chapter ~~is~~ are to expand community mental health services and community mental retardation services; to encourage participation in such ~~a program~~ programs by persons in local communities; to obtain better understanding of the need of such services and to secure aid for the ~~program~~ programs by state aid and local financial support.

Sec. 2. R. S., T. 34, § 2052, amended. Section 2052 of Title 34 of the Revised Statutes is amended to read as follows:

§ 2052. Powers

The Department of Mental Health and Corrections may provide mental health services and mental retardation services throughout the State, and for ~~that purpose~~ these purposes may cooperate with other state agencies, municipalities, persons and nonprofit corporations. The department shall adopt and promulgate rules and regulations relating to the administration of the services authorized by this chapter. Under this chapter, funds will be granted by the commissioner only to those ~~organizations~~ applicants for aid whose programs provide for adequate standards of professional service. The department may receive and use for the ~~purpose~~ purposes of this chapter money appropriated by the State and grants by the United States Government and gifts from individuals.

Sec. 3. R. S., T. 34, § 2053, amended. Section 2053 of Title 34 of the Revised Statutes is amended to read as follows:

§ 2053. Municipalities and other governmental units

A municipality or other governmental unit, such as a county, school district, health district, etc., through its local board of health or other town or governmental agency approved by the department, is authorized to adopt and carry out a program of mental health services or a program of mental retardation services, or both, established or approved by the department, and appropriate money for ~~that purpose~~ these purposes. A municipality or other governmental unit may join with another municipality or governmental unit to carry out such a program or programs.

Sec. 4. R. S., T. 34, § 2054, amended. Section 2054 of Title 34 of the Revised Statutes is amended to read as follows:

§ 2054. State aid

Upon application to the department by such municipality, governmental unit or by a nonprofit corporation organized for the improving of community health and welfare, the department may grant to the municipality, governmental unit or nonprofit ~~organization~~ corporation money to be used for carrying out its mental health services or mental retardation services, or both.

Sec. 5. R. S., T. 34, § 2055, amended. The 2nd sentence of section 2055 of Title 34 of the Revised Statutes is amended to read as follows:

Consideration shall be given to the ability of the municipality or governmental unit to support the mental health services or mental retardation services, or both, as reflected by the state's evaluation of the component communities.

Sec. 6. R. S., T. 34, § 2056, amended. The first sentence of section 2056 of Title 34 of the Revised Statutes is amended to read as follows:

The program or programs authorized by the department may include the providing of services by state department or the municipality, governmental unit or nonprofit corporation directly to individuals, for which a fee may be charged if the individual is financially able to pay the same.

STATEMENT OF FACT

As of July 1, 1969 pursuant to chapter 535 of the public laws of 1967, the Bureau of Mental Retardation, within the Department of Mental Health and Corrections, came into existence. This Bureau has overall supervision of Mental Retardation Programs throughout the State. The Act to which this statement is attached, upon enactment, will provide specific authority for supervision and control of the Grant-in-Aid Program for Community Mental Retardation Services, heretofore administered as a part of the Grant-in-Aid Program for Community Mental Health Services under the Bureau of Mental Health. With the clear separation now of Mental Health Services and Mental Retardation Services this Act is considered necessary in order to clarify by statute authority in connection with Mental Retardation Grant-in-Aid.

Under section 1 of Title 34 of the Revised Statutes, the Commissioner of Mental Health and Corrections has authority to delegate supervision of the Mental Retardation Grant-in-Aid Program to the Bureau of Mental Retardation and its director.