

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

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**Legislative Document**

**No. 628**

H. P. 487

House of Representatives, February 5, 1971

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

BERTHA W. JOHNSON, Clerk

Presented by Mr. Bragdon of Perham.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-ONE

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**AN ACT Relating to Regional Facility for Mentally Retarded Children in  
Aroostook County.**

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

Whereas, the Residential Facility for Mentally Retarded Children in Aroostook County is currently under construction at Presque Isle and will be completed on or about July 1, 1971; and

Whereas, this is a new facility with respect to which there is no existing law relative to its operation; and

Whereas, the Bureau of Mental Retardation of the Department of Mental Health and Corrections proposes to render this new facility operational at the time of commencement of the public school fall 1971 term; and

Whereas, legislation relative to the operation of this facility is vitally necessary in order to permit the availability of this facility to the mentally retarded children of Aroostook County, at the earliest possible time, and no later than the opening of the public school fall 1971 term, in order that they may be in receipt of necessary training and education; 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:

R. S., T. 34, c. 184-B, additional. Title 34 of the Revised Statutes is amended by adding a new chapter 184-B, to read as follows:

### CHAPTER 184-B

## RESIDENTIAL FACILITY FOR MENTALLY RETARDED CHILDREN IN AROOSTOOK COUNTY

### § 2091. Establishment; purpose

There is established under the control of the Department of Mental Health and Corrections a Residential Facility for Mentally Retarded Children in Aroostook County at Presque Isle, the purpose of which is to provide training and education as well as living accommodations for mentally retarded individuals, residents of Aroostook County, in order that they may attend education and training programs in the City of Presque Isle. The residential facility shall be operated pursuant to policies adopted by the Director of the Bureau of Mental Retardation, approved by the commissioner. The residential facility shall be operated primarily for living accommodations or training and education, or both, of children who are able to benefit from available programs provided that pursuant to policies adopted for its operation, the residential facility may be utilized for living accommodations or training and education, or both, of any mentally retarded person, a resident of Aroostook County, who is able to benefit from available programs. Any mentally retarded child or adult eligible for admission to the residential facility, in accordance with policies adopted relative to admission, may be enrolled therein with the consent of a parent, guardian or other person standing in loco parentis to such mentally retarded person. The director of the residential facility, appointed by the Director of the Bureau of Mental Retardation, subject to the Personnel Law, shall be responsible for the administration of the residential facility, subject to policies established for its operation.

### § 2092. Costs

Costs of education and training provided children of school age at the residential facility shall be payable by the administrative unit wherein any such child is entitled to public school privileges, as provided in Title 20, section 859, payments for such costs shall be in accordance with Title 20, chapter 403. All amounts received by the residential facility under this section shall be paid to the General Fund. Payments for the cost of board at the residential facility, whenever applicable, shall be in accordance with Title 20, section 3561, and all amounts received by the residential facility shall be paid to the General Fund.

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

### STATEMENT OF FACT

The purpose of this Act is stated in the emergency preamble.