

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-790)
107TH LEGISLATURE

COMMITTEE AMENDMENT "A" to H.P. 1441, L.D. 1745, Bill,
"AN ACT Pertaining to the Disposition of the Facilities of the
Women's Correctional Center at Skowhegan."

Amend said Bill by striking out everything after the Title and inserting in place thereof the following:

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

Whereas, the facilities of the former Women's Correctional Center at Skowhegan are presently not being used;and

Whereas, no funds are presently available for the maintenance of such facilities; and

Whereas, it is urgent that such funds be made available and that the Bureau of Public Improvements be given the authority to permit utilization of the buildings; and

Whereas, it is desirable that other portions of such facilities be made immediately available for use by the people of Maine; and

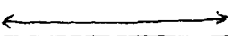
Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 34 MRSA §866 is enacted to read:

§866. Disposition of the facilities of the former Women's
Correctional Center at Skowhegan

1. Buildings and surrounding land. All of the land adjacent
to and surrounding the institutional buildings as well as the
buildings of the former Women's Correctional Center shall be
transferred to the Bureau of Public Improvements.

A. The Bureau of Public Improvements shall maintain the
buildings at the former Womens' Correctional Center at
Skowhegan on a standby basis until the bureau is able to
negotiate a lease or leases with any person, firm, corpor-
ation, association or government agency for the use of the
facilities. Such lease or leases shall be subject to the
approval of the Governor and Council and subject to the
provisions of paragraph B.  The facilities
may be leased to any lessee or lessees until such time as
the Governor and Council shall request the transfer of any
building or buildings to the Board of Trustees of the Maine
Veterans' Home for the establishment of a State Veterans'
Home as provided in Title 37-A, chapter 2, subchapter IV,
at which time the bureau is authorized to transfer any
buildings and the balance of any funds in the custody of
the Bureau of Public Improvements Account for maintenance of
these buildings. The Trustees of the Maine Veterans' Home
shall reimburse the bureau for the costs of maintaining the
building or buildings that are transferred to it as well as for

electricity, heat, water, sewerage services and any other expenses deemed proper and necessary by the Bureau of Public Improvements. In the event that all of the buildings are transferred to the Board of Trustees of the Maine Veterans' Home, the trustees shall be responsible for maintenance costs and other expenses connected with such buildings and property. All responsibility for and all costs for renovation, repair and construction, incurred in the establishment of a State Veterans' Home shall be borne by the trustees, as provided in Title 37-A, section 50-X.

B. The buildings may be leased in their present condition at reasonable cost to offset the expenses incurred by the bureau to maintain the buildings and surrounding grounds. The maintenance expenses for which the lessee or lessees shall reimburse the Bureau of Public Improvements shall include electricity, heat, water, sewerage services and any other expenses deemed proper and necessary by the bureau. The lessee or lessees shall bear all costs for improvements, major repairs and renovation, which shall be subject to the approval of the bureau.

C. The Bureau of Public Improvements may demolish any building which in the discretion of the bureau is structurally unsafe and unsuitable for present or future use.

2. Land grant to Bureau of Public Lands. All of the open land and timberland north of Norridgewock Avenue, excluding the land immediately adjacent to the institutional buildings, shall

be transferred to the Bureau of Public Lands, which shall actively manage the timberlands as a working forest.

3. Land Grant to Bureau of Parks and Recreation. All the land lying between Norridgewock Avenue and the Kennebec River belonging to the former Women's Correctional Center with the exception of the sewerage treatment plant and access thereto shall be transferred to the Bureau of Parks and Recreation to be managed by the bureau.

4. The sewerage treatment plant and access thereto at the former Women's Correctional Center shall be transferred to the Bureau of Public Improvements, to be maintained by the bureau for the benefit of any lessee or lessees of the buildings at the former Correctional Center, or for the Maine Veterans' Home. If all buildings are transferred to the Trustees of the Maine Veterans' Home for use as provided in subsection 1, the sewerage treatment plant and access thereto shall also be transferred by the bureau to the trustees.

Sec. 2. 37-A MRSA, c.2, subchapter IV, is enacted to read:

SUBCHAPTER IV

MAINE VETERANS' HOME ACT

§50-P. Title

This subchapter shall be known and cited as the "Maine

Veterans' Home Act."

§50-Q. Definitions

Unless the context clearly indicates otherwise, the following words shall mean, for the purposes of this subchapter:

1. Board. "Board" means the Board of Trustees of the Maine Veterans' Home.

2. Fund. "Fund" means the Maine Veterans' Home Fund administered by the Treasurer of State.

3. Home. "Home" means the Maine Veterans' Home.

4. Maine Veterans' Home. "Maine Veterans' Home" means a domicilliary for veterans to be established at the former Womens' Correctional Center at Skowhegan.

5. Residents. "Residents" means the veterans who are domiciled at the Maine Veterans' Home.

§50-R. Maine Veterans' Home established

There is established in the State of Maine a home known as the "Maine Veterans' Home" primarily for support and care of honorably discharged veterans who served in the Armed Services of the United States in any war, including the Korean and Viet Nam conflicts.

§50-S. Board of Trustees

The administration of the home is vested in the Board of Trustees of the Maine Veterans' Home. The board shall consist of 9 members, one of whom shall be the Commissioner of the Department of Military, Civil Emergency Preparedness and Veterans'

Services or his designee who shall serve ex officio. The remain-
ing trustees shall be appointed by the Governor with the advice
and consent of the Council to a term of three years. Six of
the remaining trustees of the board shall be honorably discharged
veterans appointed from and representing each of the largest
veterans' organizations, not to exceed 5, which are nationally
chartered and have a department in Maine. The remaining
2 members shall represent the general public. Three of the
trustees shall be appointed for a term of one year, 3 shall
be appointed for a term of 2 years and 2 shall be appointed for
a term of 3 years at the time of the initial appointments.
Appointments thereafter shall be for the regular term of 3
years. In the event of a vacancy, the successor shall be appointed
to complete the unexpired term. Each trustee shall continue to
hold office until his successor is appointed and qualified.

§50-T. Duties of the board

The board shall meet at least bi monthly and adhere to the
same fiscal year as the State of Maine. They shall hold their
first meeting for organizational and other purposes, at which
meeting the board shall elect a chairman and secretary for the
fiscal year. Each succeeding year, the board shall hold their
first meeting in July. Six members shall constitute a quorum.
Special meetings may be called by agreement of a majority of the
trustees. The board shall adopt such rules and regulations as
are necessary to administer the home, to provide for just charges

for maintenance of residents, to determine the admittance and discharge of residents and generally to oversee the operation of the home. The board shall appoint an administrator to administer the home. The board is empowered to apply for any grants-in-aid, federal or otherwise, for which the State of Maine Veterans' Home may be eligible.

§50-U. Administrator; duties

The administrator shall be an honorably discharged war veteran with a background and experience in hospital administration, who shall administer the home in accordance with the rules, regulations, guidelines and general policy as may be established by the board. He shall serve an indefinite term, but may be removed for cause by the board. His salary shall be set by the board. The administrator shall hire, subject to the Personnel Law, the necessary employees to operate the home and, whenever possible, shall give preference in hiring to war veterans. The administrator shall prepare an annual budget to be approved by the board. The administrator shall prepare an annual report as provided in this subchapter.

§50-V. Admission of members

Veterans desiring admission to the home shall make application on forms prescribed by the administrator and admission will be made by the administrator only to veterans who were residents of Maine at the time of their entry into the Armed Forces of the United States or who have been residents of Maine at least 3 years

prior to requesting admission and the spouses of such veterans, providing suitable facilities are available. Admission will be granted when provisions of the rules and regulations are met, when there is a vacancy and in order of application, unless otherwise provided in the rules and regulations.

§50-W. Charges to members

Each resident of the home shall pay to the State such share of the costs of his maintenance as he can afford and as prescribed in the rules and regulations.

§50-X. The Maine Veterans' Home Fund

The Maine Veterans' Home Fund is established as a non lapsing revolving fund to be used to carry out the purposes of this subchapter. The fund shall consist of the following: all bequests and donations to the home; all moneys paid to the administrator of the home for the maintenance and operation of said home; all funds and moneys from the United States Treasury designated for the home; and any and all other funds designated for the maintenance, operation or renovation of the home or for construction of new facilities. No revenues of the State shall be committed unless specifically appropriated by the Legislature for the maintenance, operation, renovation, enhancement of the home or for the construction of new facilities for the Maine Veterans' Home.

The Maine Veterans' Home Fund shall be administered by the State Treasurer as provided by law. The administrator of the Maine Veterans' Home shall maintain and operate the home exclusively from the moneys provided by the Maine Veterans' Home Fund and within the limits of the funds provided by such fund. The administrator shall not create any deficit for the maintenance and operation of the home.

Moneys from the Maine Veterans' Home Fund shall be expended only on maintenance, operation or renovation of the home or on construction of new facilities. A percentage of the moneys in the fund shall be reserved for capital improvement expenditures as determined by the board of trustees.

§50-Y. Report

The board shall make an annual report to the Governor and Legislature. Such report shall account for all moneys received and expended, statistics on members who resided in the home during the year, and any other matters deemed pertinent by the board, Legislature or the Governor.

§50-Z. Compensation of the board

No trustees shall receive compensation for any services rendered the home, but necessary expenses incurred by a trustee in the performance of his official duties shall be paid from the fund.

Sec. 3. Appropriation. There is appropriated from the General Fund the sum of \$90,995 to be used by the Bureau of Public Improvements to maintain the facilities at the former Women's Correctional Center. The breakdown shall be as follows:

	<u>1975-76</u>	<u>1976-77</u>
FINANCE AND ADMINISTRATION,		
DEPARTMENT OF		
Bureau of Public Improvements		
Personal Services	(4) \$34,092	(4) \$34,553
All Other	10,200	10,400
Capital Expenditures	<u>1,750</u>	<u>-</u>
	\$46,042	\$44,953

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

Statement of Fact

The purpose of this amendment is to permit utilization of the former Women's Correctional Center at Skowhegan. A portion of the land is transferred to the Bureau of Public Lands for management as a working forest. An area of the land adjacent to the Kennebec River is transferred to the Bureau of Parks and Recreation for use as a park. The buildings, adjacent land and the sewerage treatment plant are transferred to the Bureau of Public Improvements, which is given authority to

maintain the buildings and lease them, with the approval of the Governor and Council, until such time as a State Veterans' Home might be established.

The 2nd part of the bill establishes a State Veterans' Home and provides for the administration of such a facility.

The bill has been made an emergency measure because it is urgent that this facility be maintained and presently there are no funds available for maintenance.

Reported by the Committee on State Government.

Reproduced and distributed under the direction of the Clerk of the House.

6/19/75

(Filing No. H-790)