

MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 2238

H. P. 2068

House of Representatives, February 24, 1976

Reported by Mr. Goodwin from the Committee on Health and Institutional Services, pursuant to H. P. 1724 and printed under Joint Rules No. 3.

EDWIN H. PERT, Clerk

Filed under Joint Rule 3, pursuant to H. P. 1724.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SIX

AN ACT Clarifying the Use of the Mental Health Improvement Fund.

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

Sec. 1. 22 MRSA § 3172-A is enacted to read:

§ 3172-A. Mental Health and Mental Retardation Program Improvement Fund

1. Fund. All moneys received by the Department of Mental Health and Corrections under section 3172, which are generated by services rendered at any of the mental health and mental retardation institutions operated by that department, shall be credited to a special revenue account in that department to be known as the Mental Health and Mental Retardation Program Improvement Fund, hereinafter referred to in this section as the "fund."

2. Transfer of moneys. Up to 50% of the moneys in the fund shall be transferred to the Department of Human Services.

3. Use of moneys. All moneys transferred to the Department of Human Services shall be used to provide for services to aged, blind and disabled persons pursuant to Subtitle 3, Part 1-A, or to assist in funding the medical care program pursuant to section 3173. All sums remaining in the fund shall be used by the Department of Mental Health and Corrections for the improvement of mental health and mental retardation programs.

4. Approval. The transfer, allocation and use of all moneys as provided in subsections 2 and 3 shall be approved annually by the Legislature.

Sec. 2. PL 1965, c. 503, § 3, is repealed.

STATEMENT OF FACT

The purposes of this Act include :

(1) To incorporate into the Maine Revised Statutes (Title 22) a section which presently appears only in the Public Laws (P.L. 1965, c. 503, § 3) ;

(2) To clarify the law by providing that sums in the Mental Health Program Improvement Fund can be used by the Department of Mental Health and Corrections for improving mental retardation programs as well as mental health programs ;

(3) To change the name of the Fund to the Mental Health and Mental Retardation Program Improvement Fund ;

(4) To further clarify the law so that sums transferred from the Mental Health and Mental Retardation Program Improvement Fund to the Department of Human Services can be used to provide social services and medical care for aged, blind and disabled persons ; and

(5) To require that the use of all sums in or transferred from the Mental Health and Mental Retardation Program Improvement Fund be approved annually by the Legislature.

This Act is based on the findings of the Committee on Health and Institutional Services with respect to H. P. 1724, a study of mental retardation services in Maine.