

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
108TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1470, L.D. 1727, Bill,
"AN ACT to Abolish the Mental Health and Mental Retardation
Improvement Fund."

Amend the Bill by striking out all of the title and
inserting in its place the following:

'AN ACT to Adjust Payments from the Mental Health and
Mental Retardation Improvement Fund.'

Further amend the Bill by striking out everything after
the enacting clause and inserting in its place the following:

'Sec. 1. 22 MRSA §3172-A, as enacted by PL 1975, c. 757,
§1 is repealed and the following enacted in its place:
§3172-A. Mental Health and Mental Retardation 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 cash receipts. An amount equal to 50% of the total cash receipts in the fund in any fiscal year shall be transferred to the General Fund.

3. Use of moneys. All moneys 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. These programs shall include but not be limited to the following areas:

A. Community mental health centers;

B. Children's mental health services;

C. Mental health services in the area of corrections;

D. Residential services for severely emotionally disturbed children;

E. Mental health services for the elderly;

F. Community mental retardation services;

G. Residential services for mentally retarded persons;

H. Community diagnostic and evaluation services for mentally retarded persons; and

I. Institutional services for mentally ill and mentally retarded persons.

4. Plan. Annually, prior to January 15TH, the Department of Mental Health and Corrections shall submit to the Legislature through the Joint Standing Committee on Appropriation and Financial Affairs a plan of proposed expenditures, for moneys in the fund, including the areas specified in subsection 3 for the ensuing fiscal year.

5. Legislative allocation. The Legislature shall annually enact legislation which allocates the money in the fund.

6. Transfer of funds. The department may transfer up to 15% of the funds to any other area to which the Legislature has allocated money from the fund.

7. Accounts. The department shall submit detailed quarterly accounts of expenditures from the fund to the Legislative Finance Officer and the State Budget Officer.

Sec. 2. Transitional provisions. Notwithstanding the provisions of Title 22, section 3172-A, subsection 4, the Department of Mental Health and Corrections shall submit to the Legislature a plan for proposed expenditures required by Title 22, section 3172-A for fiscal year July 1, 1978 to June 30, 1979, prior to January 15, 1978.

Sec. 3. Effective date. Title 22, section 3172-A, subsections 1 and 2 of section 1 of this Act shall take effect July 1, 1978.'

OF R.

Statement of Fact

The purposes of this amendment are to:

1. Provide that 50% of the money in the Mental Health and Mental Retardation Improvement Fund is deposited in the General Fund each year.
2. Require that the Department of Mental Health and Corrections submit a plan to the Legislature annually for the expenditure of the remaining 50% of the money in the fund.
3. Require that the Legislature enact legislation annually which allocates the money remaining in the fund.
4. Permit transfer of 15% of the money to other areas to which the Legislature has allocated money from the fund.
5. Require a plan to be presented by January 15, 1978.

Reported by the Committee on Appropriations and Financial Affairs.
Reproduced and distributed under the direction of the Clerk of the House.
6/15/77

(Filing No. H-630)