

MAINE STATE LEGISLATURE

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(EMERGENCY)
(Governor's Bill)
SECOND REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1793

H. P. 1684

House of Representatives, January 10, 1980

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

EDWIN H. PERT, Clerk of the House

Presented by Mr. Cloutier of South Portland.

Cosponsor: Mr. Brodeur of Auburn.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY

AN ACT to Eliminate Restrictions on Grants Made by the Bureau of Mental Retardation.

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

Whereas, the Bureau of Mental Retardation is bound by a federal court order, resulting from the Pineland Center right to treatment class action suit, to develop community based services and programs for members of that class of plaintiffs; and

Whereas, new service and program development often necessitates financial participation by the Bureau of Mental Retardation up to 100% of total costs of the services and programs; and

Whereas, current statutes prohibit the Bureau of Mental Retardation from participating financially in any more than 50% of the operating costs of community programs and services when grants are made from the General Fund; 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:

34 MRSA § 2646, first sentence, as enacted by PL 1977, c. 502, § 4, is repealed and the following enacted in its place:

The Bureau of Mental Retardation may make grants to nonprofit corporations for amounts which are reasonable relative to quantity and quality of services to be provided by the grantee. The Bureau of Mental Retardation may request a display of effort on the part of the grantee that appropriate local governmental and other funding sources have been sought to assist in the financing of the services for which the bureau is making the grant.

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 bill is reflected in the emergency preamble.