

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE  
4

5 Legislative Document

No. 1176  
6

7 H.P. 832

House of Representatives, March 29, 1985

8 On motion of Representative Nelson of Portland, referred to the  
9 Committee on Taxation. Sent up for concurrence and ordered printed.

10 EDWIN H. PERT, Clerk

Presented by Representative Diamond of Bangor.

11 Cosponsored by Senator Pearson of Penobscot, Senator Kany of  
Kennebec and Representative Murray of Bangor.

12 STATE OF MAINE  
13

14 IN THE YEAR OF OUR LORD  
15 NINETEEN HUNDRED AND EIGHTY-FIVE  
16

17 AN ACT Relating to the Establishment of a  
18 Maine Children's Trust Fund.  
19

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

22 Sec. 1. 5 MRSA §12004, sub-§8, ¶A, sub-¶(12-A)  
23 is enacted to read:

24 (12-A) Human Services: Board of Expenses 22 MRSA §4083  
25 Child Protec- the Maine Only  
26 tion Children's  
27 Trust Fund

28 Sec. 2. 22 MRSA c. 1071, sub-IX is enacted to  
29 read:

30 SUBCHAPTER IX

31 MAINE CHILDREN'S TRUST FUND

32 §4081. Definitions

1       As used in this subchapter, unless the context  
2 otherwise indicates, the following terms have the  
3 following meanings.

4       1. Board. "Board" means the Board of the Maine  
5 Children's Trust Fund.

6       2. Fund. "Fund" means the Maine Children's Trust  
7 Fund.

8       3. Prevention programs. "Prevention programs"  
9 means programs, plans or training associated with the  
10 prevention of child abuse, child neglect or mental  
11 illness or with other factors associated with the  
12 physical and emotional well-being of the youth of the  
13 State.

14       §4082. Maine Children's Trust Fund

15       1. Establishment. There is established the  
16 Maine Children's Trust Fund. It shall receive money  
17 deposited by the Treasurer of State pursuant to Title  
18 36, section 5285.

19       2. Grants. Any person, organization or agency  
20 of the State may apply for a grant from the Maine  
21 Children's Trust Fund for prevention programs. Appli-  
22 cations for grants shall be received and grants  
23 awarded by the board in accordance with this subchap-  
24 ter.

25       §4083. Board; establishment

26       1. Establishment. The Board of the Maine Chil-  
27 dren's Trust Fund is established pursuant to Title 5,  
28 section 12004, subsection 8.

29       2. Membership. The board shall consist of 9 mem-  
30 bers as follows:

31       A. The Commissioner of Human Services, or his  
32 designee;

33       B. The Commissioner of Mental Health and Mental  
34 Retardation, or his designee;

1 C. The Commissioner of Educational and Cultural  
2 Services, or his designee;

3 D. The Chief of the State Police, or his desig-  
4 nee; and

5 E. Five public members appointed by the Governor  
6 who shall be appointed for terms of 3 years, ex-  
7 cept of those first appointed, 2 shall be ap-  
8 pointed for a term of 3 years, 2 shall be ap-  
9 pointed for a term of 2 years and one shall be  
10 appointed for a term of one year. The public mem-  
11 bers shall, as far as practicable, be representa-  
12 tive of the following groups: Parents; business  
13 and labor; the legal community; the religious  
14 community; and providers of child abuse and ne-  
15 glect prevention services.

16 3. Officers. The Governor shall annually appoint  
17 one of the public members to serve as chairman of the  
18 board. The board may elect, from among its members,  
19 other officers and committees as it deems appropri-  
20 ate.

21 4. Compensation. The members shall be compen-  
22 sated according to the provisions of Title 5, chapter  
23 379.

24 5. Meetings. The board shall meet at least once  
25 annually and 5 members of the board shall constitute  
26 a quorum.

27 §4084. Duties

28 The board shall have the following powers and du-  
29 ties:

30 1. Plan. Develop a state plan for the distribu-  
31 tion of money in the fund and distribute money in ac-  
32 cordance with that plan. In developing the plan, the  
33 board shall:

34 A. Review existing prevention programs;

35 B. Assure that an equal opportunity exists for  
36 the establishment of prevention programs and re-  
37 ceipt of fund money among all geographic areas in  
38 the State; and

1 C. Submit the plan to the Legislature at least  
2 once in every 2-year period;

3 2. Exchange of information. Provide for the co-  
4 ordination and exchange of information on the estab-  
5 lishment and maintenance of prevention programs;

6 3. Criteria for receipt of fund money. Develop  
7 and publicize criteria for the receipt of fund money  
8 by eligible persons, organizations or state agencies;

9 4. Review. Review, approve and monitor the ex-  
10 penditure of fund money awarded pursuant to this sub-  
11 chapter;

12 5. Education. Provide statewide education and  
13 public information to develop public awareness con-  
14 cerning child abuse, neglect and mental illness;

15 6. Contracts. Enter into contracts with public  
16 or private agencies or accept any grants or gifts  
17 from any federal, state or private source to carry  
18 out this subchapter;

19 7. Recommendations. Make recommendations to the  
20 Governor and the Legislature concerning changes in  
21 state laws, rules, programs or policies which will  
22 reduce the problem of child abuse, neglect and mental  
23 illness and improve coordination among state agencies  
24 that provide prevention services; and

25 8. Rules. Promulgate rules, in accordance with  
26 the Maine Administrative Procedure Act, Title 5,  
27 chapter 375, to carry out this subchapter.

28 §4085. Disbursement of fund money

29 The board shall, by rule, establish a procedure  
30 and form for receipt of applications under this sub-  
31 chapter. Upon approval, the board may disburse fund  
32 money to qualified persons, organizations or state  
33 agencies for the development or operation of preven-  
34 tion programs under this subchapter.

35 Sec. 3. 36 MRS §5285 is enacted to read:

36 §5285. Maine Children's Trust Fund; checkoff

