

1 2	SECOND REGULAR SESSION	
3 4	ONE HUNDRED AND TWELFTH LEGISLATURE	
5 6	Legislative Document No. 208	3
7 8 9	S.P. 829 In Senate, February 28, 1986 Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26. Reference to the Committee on State Government suggested and ordered	5
10	printed. JOY J. O'BRIEN, Secretary of the Senate Presented by Senator Bustin of Kennebec. Cosponsored by Representative Hickey of Augusta, Representative Paradis of Augusta and Senator Kany of Kennebec.	e
12 13 14 15 16	STATE OF MAINE IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-SIX	
17 18 19	AN ACT Concerning the Day-care Program at Augusta Mental Health Institute.	
20 21	Be it enacted by the People of the State of Maine as follows:	
22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37	Sec. 1. Southern Kennebec Child Development Cor- poration. The Southern Kennebec Child Development Corporation originally signed an agreement with the State for the use of space at the Augusta Mental Health Institute, at no charge, to operate a day-care center. The Southern Kennebec Child Development Cor- poration is a nonprofit agency. The day-care center it operates at the Augusta Mental Health Institute is solely dependent on fees for its funding. The South- ern Kennebec Child Development Corporation estab- lished its fee schedule based on the contractual agreement with the State which allowed use of the space in the Greenlaw Building of the Augusta Mental Health Institute at no cost. The State has recently required payments for utilities services in the space occupied by the day-care center. Since the day-care	

1 center has already collected its fees for past day-2 care services, it has no means to raise that money. fees for utility services incurred by the day-3 All 4 care center operated by the Southern Kennebec Child 5 Development Corporation in the Greenlaw Building of 6 the Augusta Mental Health Institute which are due and 7 unpaid on the effective date of this Act are waived.

8 Sec. 2. The Southern Kennebec Child Development 9 Corporation. The Southern Kennebec Child Development 10 Corporation shall not be required to pay fees for 11 utilities services for the use of space for а dav-12 care center at the Augusta Mental Health Institute so 13 long as it continues to operate the day-care center.

STATEMENT OF FACT

15 The Southern Kennebec Child Development Corpora-16 tion has operated a day-care center at the Augusta 17 Mental Health Institute since 1983. The state al-18 lowed the use of this space without charge. Recently, however, the Attorney General has ruled that 19 the Commissioner of Mental Health and Mental Retardation 20 21 has no authority to allow the use of this space without charging for the utilities services the 22 tenant 23 has incurred.

24 Since the day-care center operates on a fee ba-25 sis, its fee structure was based on the agreement with the State to allow use of the space without 26 27 It is impossible for the day-care center to cost. recapture those fees from all the individuals who 28 utilized that service in the past. This bill 29 waives those payments and grandfathers the day-care center 30 to allow it to use the space without cost so long 31 as it uses that space for a day-care center. 32

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