

MAINE STATE LEGISLATURE

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1 (EMERGENCY)
2 (New Draft of H.P. 1416, L.D. 2000)
3 SECOND REGULAR SESSION
4

5 ONE HUNDRED AND TWELFTH LEGISLATURE
6

7 Legislative Document

No. 2211

8
9 H.P. 1566 House of Representatives, March 18, 1986
10 Reported by Representative Nadeau from the Committee on State
11 Government and printed under Joint Rule 2. Original bill sponsored by
12 Representative Diamond of Bangor. Cosponsored by Representative Murray
of Bangor, Representative Cote of Auburn and Representative Swazey of
Bucksport.

EDWIN H. PERT, Clerk

13
14 STATE OF MAINE
15

16 IN THE YEAR OF OUR LORD
17 NINETEEN HUNDRED AND EIGHTY-SIX
18

19 AN ACT Concerning the Allocation of Certain
20 Operating Costs of the Administration
21 of the Maine Children's Trust Fund.
22

23 Emergency preamble. Whereas, Acts of the Legis-
24 lature do not become effective until 90 days after
25 adjournment unless enacted as emergencies; and

26 Whereas, the operating costs for the administra-
27 tion of the Maine Children's Trust Fund cannot be met
28 because of a limitation imposed statutorily; and

29 Whereas, without the immediate passage of this
30 legislation, the purposes of that trust fund cannot
31 be fulfilled; and

32 Whereas, in the judgment of the Legislature,
33 these facts create an emergency within the meaning of
34 the Constitution of Maine and require the following
35 legislation as immediately necessary for the preser-

1 vation of the public peace, health and safety; now,
2 therefore,

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

5 Sec. 1. 22 MRSA §4084, as enacted by PL 1985, c.
6 441, §3 and c. 500, is repealed and the following en-
7 acted in its place:

8 §4084. Duties

9 The board shall have the following powers and du-
10 ties.

11 1. Plan. The board shall develop an annual, bi-
12 ennial state plan for the distribution of money in
13 the fund and distribute money in accordance with that
14 plan. In developing the plan, the board shall:

15 A. Review and evaluate existing prevention pro-
16 grams;

17 B. Assure that an equal opportunity exists for
18 the establishment of prevention programs and re-
19 ceipt of fund money among all geographic areas in
20 the State; and

21 C. Submit the plan to the Legislature annually.

22 2. Exchange of information. The board shall
23 provide for the coordination and exchange of informa-
24 tion on the establishment and maintenance of preven-
25 tion programs.

26 3. Criteria for awarding grants. The board
27 shall develop rules and publicize criteria for award-
28 ing grants to eligible organizations.

29 4. Grants. The board shall review applications
30 for grants and shall approve applications which it
31 considers best address the purposes of the fund.

32 5. Review. The board shall review, approve and
33 monitor the expenditure of grants awarded pursuant to
34 this chapter.

1 6. Education. The board shall provide statewide
2 education and public information to develop public
3 awareness concerning child abuse, neglect and mental
4 illness.

5 7. Contracts. The board may enter into con-
6 tracts with public or private agencies or accept any
7 grants or gifts from any federal, state or private
8 source to carry out this chapter.

9 8. Recommendations. The board shall make recom-
10 mendations to the Governor and the Legislature con-
11 cerning changes in state laws, rules, programs or po-
12 licies which will reduce the problem of child abuse,
13 neglect and mental illness and improve coordination
14 among agencies that provide prevention services.

15 9. Rules. The board shall promulgate rules, in
16 accordance with the Maine Administrative Procedure
17 Act, Title 5, chapter 375, to carry out this chapter.

18 10. Staff. The board may employ a full-time ex-
19 ecutive director and a clerical assistant to serve at
20 the pleasure of the board. The executive director
21 and clerical assistant shall not be subject to the
22 Personnel Law.

23 A. The executive director shall be a person with
24 knowledge and experience in:

25 (1) Writing grants and grant applications;

26 (2) Child neglect and child abuse programs;

27 (3) Review and evaluation of programs; and

28 (4) Supervisory employees and implementing
29 policies.

30 Sec. 2. 22 MRSA §4084-A is enacted to read:

31 §4084-A. Report

32 The department shall evaluate the implementation
33 of this subchapter and report to the joint standing
34 committee of the Legislature having jurisdiction over
35 human resources no later than February 15, 1987.

1 Sec. 3. 22 MRSA §4085, sub-§2, as enacted by PL
2 1985, c. 441, §3, is amended to read:

3 2. Limit on disbursements. The board may not
4 expend the first \$100,000 of income to the fund each
5 year; except that \$54,285 may be expended from the
6 fund in 1985-87 biennium to further the purposes of
7 this chapter. The board may expend one half of the
8 amount of income each year which exceeds \$100,000,
9 but which does not exceed \$500,000. The board may
10 not expend the amount of income each year which ex-
11 ceeds \$500,000. For purposes of this section, income
12 includes interest attributed to the fund pursuant to
13 Title 36, section 5285. When the total amount of the
14 fund reaches \$4,000,000, contributions to the fund
15 shall cease, as provided in Title 36, section 5285,
16 and the expenditures by the board shall be limited to
17 the amount of interest credited annually to the fund.

18 Sec. 4. PL 1985, c. 441, §5 is repealed and the
19 following enacted in its place:

20 Sec. 5. Allocation. The following funds are al-
21 located from the Maine Children's Trust Fund to carry
22 out the purposes of this Act.

	<u>1985-86</u>	<u>1986-87</u>
23		
24	<u>MAINE CHILDREN'S TRUST FUND</u>	
25		
26	<u>Positions</u>	<u>(2)</u>
27	<u>Personal Services</u>	<u>\$9,457</u>
28	<u>All Other</u>	<u>1,000</u>
29	<u>Capital Expenditures</u>	<u>4,000</u>
	<u>Total</u>	<u>1,000</u>
	<u>\$11,457</u>	<u>\$42,825</u>

1 Provides funds
2 to employ a
3 full-time execu-
4 tive director
5 and clerical as-
6 stant and to
7 reimburse board
8 members for eli-
9 gible expenses
10 they have in-
11 curring.

12 **Emergency clause.** In view of the emergency cited
13 in the preamble, this Act shall take effect when ap-
14 proved.

15 STATEMENT OF FACT

16 The purpose of this new draft is to allow the
17 Board of the Maine Children's Trust Fund to expend
18 \$54,285 of the first \$100,000 of income to the trust
19 fund to employ a full-time executive director and
20 clerical assistant and to reimburse expenses incurred
21 by the board. This new draft also establishes quali-
22 fications for the executive director. The executive
23 director and clerical assistant will not be appointed
24 in accordance with the Personnel Law. These posi-
25 tions must be filled immediately following passage of
26 the new draft.

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