

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

(Emergency)  
(New Draft of S.P. 315, L.D. 917)  
FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 1736

S.P. 585

In Senate, June 3, 1987

Reported by for the Committee on State and Local Government and printed under Joint Rule 2. Original Bill sponsored by Senator Gauvreau of Androscoggin. Cosponsored by: Representative Carroll of Gray, Representative Diamond of Bangor, Representative Murphy of Kennebunk.

JOY J. O'BRIEN, Secretary of the Senate

STATE OF MAINE

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-SEVEN

1           **AN ACT** Relating to the Administration of the  
2                           **Maine Children's Trust Fund.**  
3

4           **Emergency preamble.** Whereas, Acts of the Legis-  
5           lature do not become effective until 90 days after  
6           adjournment unless enacted as emergencies; and

7           Whereas, the Maine Children's Trust Fund, which  
8           is funded with income tax check-off funds, now has  
9           most of the funds that will be derived from check-off  
10          contributions from 1986 income tax returns; and

11          Whereas, it is necessary to begin to implement  
12          programs designed to prevent abuse, neglect and men-  
13          tal illness among children as soon as possible; and

1           Whereas, in the judgment of the Legislature,  
2 these facts create an emergency within the meaning of  
3 the Constitution of Maine and require the following  
4 legislation as immediately necessary for the preser-  
5 vation of the public peace, health and safety; now,  
6 therefore,

7           Be it enacted by the People of the State of Maine as  
8 follows:

9           22 MRSA §4085, sub-§2, as amended by PL 1985, c.  
10 667, §3, is repealed and the following enacted in its  
11 place:

12           2. Limit on disbursements. Of the first  
13 \$100,000 of income each year, the amount remaining  
14 after payment of operating expenses and expenses for  
15 developing public awareness shall be expended by the  
16 board in the following proportions: A minimum of 1/3  
17 shall be allocated to the trust fund and up to 2/3  
18 allocated for grants to local programs. One half of  
19 the amount of income each year which exceeds  
20 \$100,000, but which does not exceed \$500,000, shall  
21 be set aside for the development of the trust fund.  
22 The board may expend the remainder in accordance with  
23 the duties set out in section 4084. The board may  
24 not expend the amount of income each year which ex-  
25 ceeds \$500,000. For purposes of this section, income  
26 includes interest attributed to the fund pursuant to  
27 Title 36, section 5285. When the total amount of the  
28 fund reaches \$4,000,000, contributions to the fund  
29 shall cease, as provided in Title 36, section 5285,  
30 and the expenditures by the board shall be limited to  
31 the amount of interest credited annually to the fund.

32           Emergency clause. In view of the emergency cited  
33 in the preamble, this Act shall take effect when ap-  
34 proved.

1

STATEMENT OF FACT

2       The Maine Children's Trust Fund was established  
3 in 1985 in order to provide a mechanism for Maine  
4 taxpayers to voluntarily contribute to the establish-  
5 ment of programs designed to prevent abuse, neglect  
6 and mental illness among Maine children. It is  
7 therefore essential that prevention programs be  
8 funded as soon as possible. This new draft allows  
9 the immediate use of the first \$100,000 taken in by  
10 the trust fund. Fifty percent of funds over \$100,000  
11 will be placed in the trust fund in order to preserve  
12 the Legislature's intent that the trust fund will  
13 eventually be self-sufficient. The remaining 50%  
14 will be expended by the board in carrying out the du-  
15 ties assigned by the Legislature in the Maine Revised  
16 Statutes, Title 22, section 4084. The board will re-  
17 view and evaluate existing prevention programs, pro-  
18 vide for the coordination and exchange of informa-  
19 tion, award grants and provide statewide educational  
20 and public information.

21

2993052987