

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 443

S.P. 195

In Senate, February 27, 1989

Submitted by the Department of Mental Health and Mental Retardation pursuant to Joint Rule 24.

Reference to the Committee on Human Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator PERKINS of Hancock.

Cosponsored by Senator TITCOMB of Cumberland, Representative BURKE of Vassalboro and Representative HEPBURN of Skowhegan.

STATE OF MAINE

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

An Act to Change the Name of the Maine Committee on Problems of the Mentally Retarded and to Update the Definition of Mental Retardation.



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

3 Sec. 1. 5 MRSA §12004-I, sub-§61, as enacted by PL 1987, c.
786, §5, is amended to read:

5 61. Mental Maine Committee Expenses 34-B MRSA
7 Health and Men- en-the-Problems Only §1210
9 tal Retardation of-the-Mentally
11 Retarded
 Advisory Committee
 on Mental Retardation

13 Sec. 2. 34-B MRSA §1210, as amended by PL 1983, c. 812,
15 §§262 and 263, is further amended to read:

17 **§1210. Maine Advisory Committee on Mental Retardation**

19 The Maine Advisory Committee on the-Problems-of-the-Mentally
21 Retarded Mental Retardation, as established by Title 5, section
12004, ~~subsection 10~~, 12004-I, subsection 61, shall be appointed
as follows:

23 1. **Composition.** The committee shall consist of 11 members
to be appointed as follows:

25 A. One member from the House of Representatives appointed
27 by the Speaker of the House of Representatives;

29 B. One member from the Senate appointed by the President of
the Senate; and

31 C. Nine representative citizens appointed by the Governor.
33

35 2. **Chairman.** The Governor shall designate the ~~chairman~~
chair of the committee.

37 3. **Duration of appointments.** The duration of appointments
shall be as follows.

39 A. Gubernatorial appointments shall be for terms of 3
41 years, plus the time period until a successor is appointed.

43 B. Legislative appointments shall be for the legislative
term of office of the person appointed.
45

47 4. **Compensation.** Members of the committee shall be
compensated according to the provisions of Title 5, chapter 379.

49 5. **Duties.** The committee shall act in an advisory capacity
to the commissioner and to the Director of the Bureau of Mental
51 Retardation in assessing present programs, planning future

1 programs and developing means to meet the needs of the mentally
retarded in Maine.

3

5 **Sec. 3. 34-B MRSA, §5001, sub-§3**, as enacted by PL 1983, chapter
459, §7, is amended to read:

7

9 3. **Mental retardation.** "Mental retardation" means a
condition of significantly subaverage intellectual functioning
11 ~~manifested during a person's developmental period, existing~~
~~concurrently with demonstrated defects in adaptive behavior~~
resulting in or associated with concurrent impairments in
13 adaptive behavior and manifested during the developmental period.

15 **Sec. 4. 34-B MRSA, §5001, sub-§3-A** is enacted to read:

17 3-A. Mentally retarded. In future revisions of this Title,
wherever "the mentally retarded" or "mentally retarded persons,"
19 or "mentally retarded clients" appears, the phrase "persons with
mental retardation" should be substituted.

21

23

STATEMENT OF FACT

25

27 In sections 1 and 2 the name of the Maine Committee on the
Problems of the Mentally Retarded is revised to broaden the
agenda of the Committee to all issues concerning the disability
29 of mental retardation rather than the more limited and
stigmatizing reference to "problems of the mentally retarded."

31

33 Section 3 adjusts the definition of mental retardation to
reflect the current definition of the American Association on
Mental Deficiencies and the American Psychiatric Association and
35 to correct a wording error made during recodification of the
Department of Mental Health and Mental Retardation's laws.

37

39 In Section 4, the labels "the mentally retarded," "mentally
retarded persons" or "mentally retarded clients" are revised to
emphasize the person, not the disability.