

# MAINE STATE LEGISLATURE

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# 114th MAINE LEGISLATURE

## SECOND REGULAR SESSION - 1990

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Legislative Document

No. 2017

H.P. 1448

House of Representatives, December 21, 1989

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.

Received by the Clerk of the House on December 21, 1989. Referred to the Committee on Appropriations and Financial Affairs and 1600 ordered printed pursuant to Joint Rule 14.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative CARROLL of Gray.

Cosponsored by Speaker MARTIN of Eagle Lake, Representative MAYO of Thomaston and Representative LISNIK of Presque Isle.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY

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An Act to Establish a Statewide System of School-to-community  
Transition Coordination Services for Handicapped Youth.

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(EMERGENCY)



2           **Emergency preamble.** Whereas, Acts of the Legislature do not  
become effective until 90 days after adjournment unless enacted  
as emergencies; and

4  
6           Whereas, Public Law 1985, chapter 768 required a report to  
the Legislature containing recommendations for a statewide system  
of transition services for handicapped youth by December 15,  
8 1988; and

10           Whereas, the existing system of transition services is in  
jeopardy and requires a clear statutory authorization and  
12 funding; and

14           Whereas, in the judgment of the Legislature, these facts  
create an emergency within the meaning of the Constitution of  
16 Maine and require the following legislation as immediately  
necessary for the preservation of the public peace, health and  
18 safety; now, therefore,

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

22           **Sec. 1. 5 MRSA §12004-I, sub-§10-A is enacted to read:**

24	<u>10-A. Edu-</u>	<u>Interdepart-</u>	<u>Expenses</u>	<u>20-A MRSA</u>
26	<u>cation</u>	<u>mental Commit-</u>	<u>Only</u>	<u>\$7803</u>
28		<u>tee on Trans-</u>		
		<u>ition</u>		

30           **Sec. 2. 20-A MRSA §7801, as enacted by PL 1985, c. 768, §1,**  
is amended to read:

32           **§7801. Purpose**

34           It is the purpose of this chapter to ~~stimulate through the~~  
~~activities of pilot projects a~~ implement service planning and  
36 coordination for youth with handicaps, 14 years of age or older  
and under 26 years of age, who are in transition from school to  
38 the community. Local projects have been established to provide  
40 more effective and efficient statewide delivery of services to  
handicapped youths in transition from school to the community by:

42           **1. Coordination.** Coordinating existing programs presently  
provided for these youths by the Department of Human Services,  
44 the Department of Mental Health and Mental Retardation, the  
Department of Educational and Cultural Services, the Department  
46 of Labor, the Department of Corrections and other public and  
private agencies;

48           **2. Planning and delivery.** Delivering Planning and  
50 delivering services only to meet identified unmet needs; and

2           **3. Future recommendations.** Using results from the  
operation of these pilot projects to determine the best direction  
for future recommendations to serve this population.

4  
6           **Sec. 3. 20-A MRSA §7802, sub-§3,** as enacted by PL 1985, c.  
768, §1, is amended to read:

8           **3. Services.** "Services" means those activities undertaken  
to ~~screen,---evaluate,---identify,---plan---and~~ provide special  
10 education, habilitation, rehabilitation, vocational and related  
services to handicapped persons in transition from school to  
12 community. These services may include, but are not limited to:

14           A. Identification of all handicapped youth in transition in  
schools and in the community;

16           B. Referral to appropriate community services;

18           C. Technical assistance for student education and  
20 transition plan development and implementation;

22           D. Program development and evaluation;

24           E. Case management and student tracking;

26           F. Family training, counseling and support;

28           G. Employer training, counseling and support;

30           H. Facilitation of interagency communication and  
collaboration; and

32           I. Planning and conducting skill development training.

34           **Sec. 4. 20-A MRSA §7802, sub-§§5 to 9** are enacted to read:

36           **5. Interdepartmental council.** "Interdepartmental council"  
38 means the Committee for the Interdepartmental Coordination of  
Services to Children and Families as established by Title 34-B,  
40 section 1214.

42           **6. Commissioners.** "Commissioners" means the Commissioner  
of Human Services, the Commissioner of Mental Health and Mental  
44 Retardation, the Commissioner of Educational and Cultural  
Services, the Commissioner of Labor and the Commissioner of  
46 Corrections.

48           **7. Committee.** "Committee" means the Interdepartmental  
Committee on Transition as established in section 7803.

50

2           8. Area coordinating committee. "Area coordinating  
committee" means a committee authorized in section 7804,  
subsection 4.

4           9. Site. "Site" means each of the area coordination  
6 programs.

8           Sec. 5. 20-A MRSA §7803, as enacted by PL 1985, c. 768, §1,  
is amended to read:

10           **§7803. Interdepartmental Committee on Transition**

12           An Interdepartmental ~~Coordinating~~ Committee ~~for~~-Handicapped  
14 Youth--in on Transition pursuant to Title 5, chapter 379,  
representing the Department of Educational and Cultural Services,  
16 the Department of Human Services, the Department of Mental Health  
and Mental Retardation, the Department of Labor, the Department  
18 of Corrections, at least 2 of the local coordination sites and  
the public, shall be appointed by the 3 commissioners to work  
20 with the department interdepartmental council to establish  
guidelines, including continuation applications, to monitor  
22 grants and to evaluate the performance of area coordination  
programs developed through the grants.

24           The members of this committee shall be compensated in  
26 accordance with Title 5, chapter 379.

28           Sec. 6. 20-A MRSA §7804, sub-§1, as enacted by PL 1985, c.  
768, §1, is repealed.

30           Sec. 7. 20-A MRSA §7804, sub-§1-A is enacted to read:

32           1-A. Grants. The committee, as established in section  
34 7803, shall provide funds for the maintenance of existing sites  
and shall provide funds for new or expanded sites, as funds are  
36 available. These funds must support the effective delivery of  
services to handicapped youth in transition by coordinating  
38 existing programs, when possible, and establishing a mechanism  
for ongoing coordination of programs for handicapped youths in  
40 transition at a local or regional level, including local  
educational agencies, community mental health centers, regional  
42 mental retardation services, regional rehabilitation programs and  
other public and private agencies as appropriate. Each project  
44 must establish a method to identify unserved and underserved  
handicapped youths in transition and develop services for these  
46 youths.

48           Sec. 8. 20-A MRSA §7804, sub-§§2, 4 and 5, as enacted by PL  
1985, c. 768, §1, are amended to read:

50           2. Rules. The committee shall promulgate by rules policy  
52 and procedures that assure participation at the local level by

2 agencies currently serving handicapped youths in transition from  
3 school to community. They shall require that existing resources  
4 for providing services to handicapped youths in transition be  
exhausted prior to using grants funds to provide services.

6 **4. Area coordinating committee.** ~~A--local~~ An area  
7 coordinating committee, organized prior to application for  
8 receipt of a grant, shall be responsible for governance of each  
9 local program site. Membership shall include representatives of  
10 transitional services programs in the region to be served by the  
11 grant; representatives of the appropriate regional offices of the  
12 Department of Human Services and, the Department of Mental Health  
13 and Mental Retardation, the Department of Corrections and the  
14 Department of Labor; representatives of participating school  
15 administrative units; representatives of adult service agencies,  
16 including rehabilitation facilities; parents of handicapped  
17 children with handicapping conditions; employers; and other  
18 community members as appropriate. Terms of membership and  
19 methods of appointment or election shall be determined by ~~local~~  
20 area coordinating committee bylaws, subject to approval of the  
21 committee. Responsibilities of ~~local~~ area coordinating  
22 committees shall be detailed in the rules promulgated by the  
23 committee.

24 **5. Evaluation.** Continuous evaluation of the ~~piilet-projects~~  
25 project sites shall be required and shall be an integral part of  
26 each ~~piilet~~ project. The committee shall ~~determine--the--expected~~  
27 ~~outeeme--goals--of--the--piilet--projects--and--shall~~ cause to be  
28 developed an evaluation design to determine the success of the  
29 ~~piilet~~ projects and shall ensure its implementation.

32 ~~The--3--commissioners--shall--present--to--the--Legislature--an--interim~~  
33 ~~report--prior--to--December--15,--1987.--This--report--shall--provide--an~~  
34 ~~assessment--of--the--planning--efforts--of--the--State--Interdepartmental~~  
35 ~~Coordinating--Committee--for--Handicapped--Youths--in--Transition,--In~~  
36 ~~addition,--this--report--shall--contain--any--recommendations,~~  
37 ~~including--legislation--for--the--continuation--or--expansion--of--the~~  
38 ~~piilet--projects.~~

40 ~~The--3--commissioners--shall--present--to--the--Legislature--a--final~~  
41 ~~report--prior--to--December--15,--1988.--This--report--shall--provide--an~~  
42 ~~evaluation--summary--of--the--piilet--projects--and--recommendations,~~  
43 ~~including--legislation,--necessary--to--carry--out--a--statewide--service~~  
44 ~~delivery--system--with--an--implementation--schedule--to--begin--July--1,~~  
45 ~~1989.~~

46 **Sec. 9. 20 MRSA §7804, sub-§6 is enacted to read:**

48 **6. Report.** The interdepartmental council shall present to  
49 the Legislature an annual report on the activities of the  
50 committee. This report shall provide an evaluation summary of

2 the projects and recommendations, including legislation,  
3 necessary to support and maintain a statewide transitional  
4 services planning and delivery system.

6 **Sec. 10. 20-A MRSA §7805**, as amended by PL 1987, c. 395, Pt.  
A, §78, is further amended to read:

8 **§7805. Transitional services coordinator**

10 The position of transitional services coordinator to the  
11 ~~Department of Educational and Cultural Services, Division of~~  
12 ~~Special Education~~ committee shall be established to coordinate  
13 the department's committee's activities and involving the ~~Bureau~~  
14 ~~of Adult and Secondary Vocational Education~~ all participating  
15 state agencies regarding the coordinated delivery system for  
16 handicapped youths in transition from school to community. This  
17 coordinator will also serve as staff to the committee as  
18 established in section 7803.

20 **Sec. 11. Appropriation.** The following funds are appropriated  
21 from the General Fund to carry out the purposes of this Act.

22 **1990-91**

24 **MENTAL HEALTH AND MENTAL RETARDATION,**  
26 **DEPARTMENT OF**

28	Positions	(1)
29	Personal Services	\$43,270
30	All Other	168,000

32 Provides funds to the department, acting as  
33 fiscal agent for the Interdepartmental  
34 Committee on Transition, to provide  
35 full-time staff support to the committee and  
36 its local coordination sites. Funds are  
37 also to be used to stabilize and support the  
38 operation of existing sites, as well as to  
39 support the establishment of new or expanded  
40 sites.

42 **DEPARTMENT OF MENTAL HEALTH AND**  
44 **MENTAL RETARDATION**  
45 **TOTAL**

\$211,270

46 **Emergency clause.** In view of the emergency cited in the  
48 preamble, this Act shall take effect when approved.

2

## STATEMENT OF FACT

4

6       The Interdepartmental Coordinating Committee for Handicapped  
8       Youth in Transition, established by Public Law 1985, chapter 768,  
10       was charged to develop a system of pilot coordination sites for  
12       the purpose of demonstrating services to support youth with  
14       handicapping conditions in transition from school to work or  
16       higher education. The committee was to produce a report for the  
      Legislature including recommendations for the establishment of an  
      ongoing system of transition services. This bill is necessary to  
      give ongoing authorization for the continued operation of the  
      committee and its local coordination sites and expansion to cover  
      unserved areas of the State. This bill also makes necessary  
      appropriations.