

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

SECOND REGULAR SESSION - 1990

Legislative Document

No. 2111

H.P. 1526

House of Representatives, January 5, 1990

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

Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

Ed Pert

EDWIN H. PERT, Clerk

Presented by Representative GWADOSKY of Fairfield.

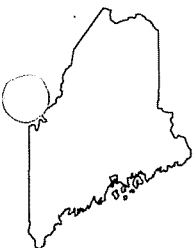
Cosponsored by Senator CAHILL of Sagadahoc, Senator PEARSON of Penobscot and Representative McGOWAN of Canaan.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY

**An Act to Address the Crisis Confronting Clients of the Training
Programs Administered by the Bureau of Vocational Rehabilitation.**

(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, a crisis confronts the Bureau of Vocational
Rehabilitation which, unless resolved quickly, will place as many
as 1,200 clients for vocational rehabilitation and training on a
waiting list for one year or longer; and

8
10 Whereas, it is essential to address this crisis by examining
the factors responsible for the dilemma; and

12
14 Whereas, the best approach to this crisis is the creation of
a study commission, with the services of a consultant qualified
in the subject matter, to examine these factors and determine the
best possible course of action; and

16
18 Whereas, the Commission to Study Vocational Rehabilitation
Training in Maine will need to commence its study and hire a
consultant as soon as possible in order to report its findings
and recommendations to the First Regular Session of the 115th
Legislature; and

20
22 Whereas, in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
safety; now, therefore,

24
26
28
30 **Be it enacted by the People of the State of Maine as follows:**

32 **Sec. 1. Commission to Study Vocational Rehabilitation Training in**
Maine. There is established the Commission to Study Vocational
34 Rehabilitation Training in Maine, referred to in this section as
the "commission."

36 1. **Membership.** The commission shall consist of 7 members
38 as provided in this subsection.

40 A. Two members must be appointed by the President of the
Senate.

42 B. Five members must be appointed by the Speaker of the
44 House of Representatives.

46 C. At least 2 of the members must be members of the joint
standing committee of the Legislature having jurisdiction
48 over human resource matters.

50 D. At least one member of the commission must be a member
of the joint standing committee of the Legislature having
52 jurisdiction over audit and program review.

2 E. At least one member of the commission must be a member
of the joint standing committee of the Legislature having
4 jurisdiction over appropriations and financial affairs.

6 F. At least 2 members of the commission must be users of
rehabilitation and training services overseen by the
8 Department of Human Services, Bureau of Vocational
Rehabilitation.

10

12 2. **Chair.** The President of the Senate and the Speaker of
the House of Representatives shall jointly appoint a chair of the
commission.

14

16 3. **Meetings and compensation.** The Chair of the Legislative
Council shall call the first meeting of the commission.
Thereafter, the commission shall meet at the call of the chair of
18 the commission. The commission shall meet at least once every 2
months.

20

22 A. Members of the commission shall be paid the legislative
per diem and expenses for attendance at each meeting.
Legislator members shall not be paid the legislative per
24 diem while the Legislature is in session.

26 4. **Study and report.** The commission shall study the
current structure and operation of the Bureau of Vocational
28 Rehabilitation within the Department of Human Services, including
programs administered or overseen by the bureau. In conducting
30 this study the commission shall:

32 A. Determine the causes for the deficit in the bureau's
operations;

34

36 B. Determine the degree of efficiency of the bureau and its
operations;

38

40 C. Determine whether the current process of serving clients
meets the needs of the clients;

42

44 E. Determine whether any gaps exist in current programs and
whether any other sectors of the population should be
included in the programs;

46

48 F. Examine how other states approach vocational
rehabilitation training and the effectiveness of the
different approaches;

50

52 G. Propose recommendations, including recommendations
concerning the structure, operations and policies of the

2 Bureau of Vocational Rehabilitation that the commission
3 considers will improve the system of training and services
4 for clients of the bureau; and

6 H. Propose changes that the commission considers necessary
7 in the delivery system and in the programs currently
8 administered or overseen by the bureau.

10 5. Assistance for the commission. The Legislative Council
11 shall hire a consultant with the necessary qualifications to
12 examine books and records of the Bureau of Vocational
13 Rehabilitation, to analyze the structure and operation of the
14 bureau, and to review department programs. The Legislative
15 Council shall provide any additional staff that is necessary for
16 the commission to undertake its responsibilities.

18 6. Report. The commission shall report its findings and
19 recommendations, including any necessary implementing
20 legislation, to the joint standing committee of the Legislature
21 having jurisdiction over human resource matters by February 1,
22 1991.

24 Sec. 2. Appropriation. The following funds are appropriated
25 from the General Fund to carry out the purposes of this Act.

	1989-90	1990-91
26		
28	HUMAN SERVICES, DEPARTMENT OF	
30	Bureau of Vocational Rehabilitation	
32		
34	All Other	\$1,200,000 \$2,200,000

36 The money from this
37 appropriation must be used to
38 fund vocational
39 rehabilitation, independent
40 living and training programs
41 administered or overseen by
42 the bureau. The Department
43 of Human Services must
44 rescind the order of
45 selection applied by the
46 department to applicants and
47 clients of bureau programs.
48 The money in this
49 appropriation must be used to
50 fund the rehabilitation and
51 training of all eligible
52 clients.

2 DEPARTMENT OF HUMAN SERVICES
TOTAL \$1,200,000 \$2,200,000

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6 Commission to Study Vocational
8 Rehabilitation Training in Maine

10 Personal Services \$385 \$1,925
12 All Other 75,600 3,950

14 Provides funds for the per
16 diem, meeting and related
18 expenses of the Commission to
20 Study Vocational
22 Rehabilitation Training in
24 Maine. This appropriation
also includes funds to hire a
consultant to assist in the
study. This appropriation
must not lapse but must be
carried forward.

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TOTAL \$75,985 \$5,875

28 Emergency clause. In view of the emergency cited in the
30 preamble, this Act shall take effect when approved.

32 STATEMENT OF FACT

34 This bill proposes to address the crisis confronting the
36 clients of programs and services of the Bureau of Vocational
38 Rehabilitation within the Department of Human Services by
appropriating money to offset the bureau's deficit and to examine
40 the factors responsible for the crisis. The bill establishes the
Commission to Study Vocational Rehabilitation Training in Maine
42 to examine the structure, operation and policies of the Bureau of
Vocational Rehabilitation. The study commission will also
examine the programs administered or overseen by the bureau.

44 The commission will be composed of 7 members, including 2
46 people appointed by the President of the Senate and 5 people
appointed by the Speaker of the House of Representatives. At
48 least 2 of the members must be members of the Joint Standing
Committee on Human Resources, one member must be a legislative
50 member on the Joint Standing Committee of Audit and Program
Review and one member must be a legislative member of the Joint
52 Standing Committee on Appropriations and Financial Affairs. In

2 addition, 2 members must be users of rehabilitation and training
services administered or overseen by the bureau.

4 The commission will use the services of a consultant
6 qualified in the subject matter to assist the commission in
implementing this study.

8 The commission will report its findings and recommendations
10 to the First Regular Session of the 115th Legislature no later
than February 1, 1991.