

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

## SECOND REGULAR SESSION-1992

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Legislative Document

No. 2014

S.P. 815

In Senate, January 8, 1992

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.  
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 President PRAY of Penobscot  
Cosponsored by Representative CLARK of Brunswick and Representative GEAN of Alfred.

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STATE OF MAINE

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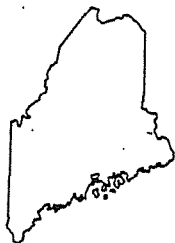
IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY-TWO

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**Resolve, to Direct the Department of Mental Health and Mental  
Retardation to Develop a Proposal to Improve Staff Retention in  
Community-based Programs Serving Persons with Mental Retardation.**

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(EMERGENCY)



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

4  
6           Whereas, the stability of the work force in community-based  
programs providing services to persons with mental retardation is  
critical to effectiveness of those programs in enabling those  
8 persons to maintain themselves in the community; and

10           Whereas, funding has been appropriated to improve staff  
retention in intermediate care facilities serving persons with  
12 mental retardation; and

14           Whereas, the wage scales in other community-based programs  
providing services to persons with mental retardation are  
16 substantially lower than those in both intermediate care  
facilities and State Government for the same or equivalent jobs;  
18 and

20           Whereas, a serious staff retention problem therefore exists  
in many community-based programs providing services to persons  
22 with mental retardation, including day programs, supported  
employment programs, foster homes, boarding homes and supported  
24 living programs; and

26           Whereas, there is a need for immediate action to assess the  
nature and scope of these problems and to develop plans to  
28 address them; and

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

36           **Department of Mental Health and Mental Retardation duties.**  
**Resolved:** That the Department of Mental Health and Mental  
38 Retardation shall:

40           1. No later than October 1, 1992 develop a proposal to  
establish wage parity between community-based programs providing  
42 services to persons with mental retardation and state-run  
facilities and to implement any other measures necessary to  
44 improve staff retention and ensure the stability of state-funded  
community-based programs;

46  
48           2. Report its recommendations to the joint standing  
committee of the Legislature having jurisdiction over human  
resource matters and the joint standing committee of the

2 Legislature having jurisdiction over appropriations and financial  
3 affairs no later than January 15, 1993; and

4 3. Consult with community-based programs in all phases of  
5 this process.

6 **Emergency clause.** In view of the emergency cited in the  
7 preamble, this resolve takes effect when approved.

10 **STATEMENT OF FACT**

12 This resolve requires the Department of Mental Health and  
13 Mental Retardation to prepare a written staff retention plan  
14 relating to the provision of services in community-based programs  
15 serving persons with mental retardation and a mechanism for  
16 establishing wage parity between community-based and state  
17 programs. The department will make its final report to the  
18 Legislature by January 15, 1993.