

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Sixth Legislature
1ST SPECIAL SESSION
JANUARY 2, 1974 TO MARCH 29, 1974
AND BY THE
One Hundred and Seventh Legislature
REGULAR SESSION
JANUARY 1, 1975 TO JULY 2, 1975

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH THE REVISED STATUTES OF 1964, TITLE 3,
SECTION 164, SUBSECTION 6.

THE KNOWLTON AND MCLEARY COMPANY
FARMINGTON, MAINE
1975

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
One Hundred and Seventh Legislature

1975

Any person convicted of a violation under this section shall be punished by a fine of not less than \$500 nor more than \$1,000 and by imprisonment of not less than 3 nor more than 5 days for the first offense, and by a fine of not less than \$500 nor more than \$1,000 and by imprisonment of not less than 10 nor more than 15 days for each succeeding offense. No punishment under this section shall be suspended. Any firearms seized in connection with a violation of this section shall be retained by the State pending disposition of criminal proceedings and sold at public auction by the State upon conviction.

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

Effective May 12, 1975

CHAPTER 263

AN ACT Relating to Subsidized Adoptions.

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

19 MRSA c. 10, is enacted to read:

CHAPTER 10

ADOPTION SUBSIDY ACT

§ 541. Authorization

The Department of Health and Welfare is authorized to subsidize the adoption of children in its care or custody who are legally eligible for adoption and who are physically or mentally handicapped, emotionally disturbed or who by virtue of age or sibling relationship otherwise may not be adopted. The Department of Health and Welfare is authorized to use funds for this purpose which are appropriated for child welfare services.

The amount of the subsidy may vary depending upon the resources of the adoptive parents, the special needs of the child as well as the availability of other resources but may not exceed the cost of caring for the child if the child were to remain in the care or custody of the Department of Health and Welfare. The duration of the subsidy may continue until the cessation of legal parental responsibility.

§ 542. Eligibility and terms

Foster parents interested in adopting an eligible child in their care and any other persons interested in adopting may apply for a subsidy. All applicants for adoption subsidy must meet agency standards for adoption with the exception of financial ability. The subsidy may be for special services only, for a limited period, for a long term or for a combination thereof. The type of adoption subsidy may vary depending on the special needs of the child.

§ 543. Administration

A written agreement between the family entering into subsidized adoption and the Department of Health and Welfare must precede the final decree of

adoption. In case of subsidies that continue for more than one year, there shall be an annual redetermination of the need for subsidy. If the adopting family moves from the original jurisdiction to another state, such family, if otherwise eligible, shall continue to receive the subsidy.

§ 544. Promulgation of rules and regulations

The Department of Health and Welfare shall establish rules and regulations for the subsidized adoption program consistent with this chapter and shall promulgate such rules and regulations within 90 days of its enactment.

Effective October 1, 1975

CHAPTER 264

AN ACT to Revise Certain Provisions of the Maine Health Facilities Authority Act.

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

Whereas, it is essential that hospitals within the State be provided with appropriate additional means to expand, enlarge and establish hospitals and other health care facilities; and

Whereas, certain actions of the Federal Government through legislation have modified the laws relating to health planning in the State of Maine; and

Whereas, these modifications in federal law have rendered inapplicable certain provisions of the Maine Health Facilities Authority Act; and

Whereas, financial assistance to hospitals by the authority will not be possible after July 1, 1975 unless certain modifications are made in the enabling legislation of the authority; and

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,

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

22 MRSA § 2061, as last amended by PL 1973, c. 713, § 7, is repealed and the following enacted in place thereof:

§ 2061. Procedure before issuance of bonds

Notwithstanding any other provisions of this chapter, the authority is not empowered to undertake any project authorized by this chapter unless, prior to the issuance of any bonds or notes hereunder, the authority has determined that: