

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
ONE HUNDRED AND TWELFTH LEGISLATURE

**SECOND REGULAR SESSION**  
January 8, 1986 to April 16, 1986

**SECOND SPECIAL SESSION**  
May 28, 1986 to May 30, 1986

AND AT THE

**THIRD SPECIAL SESSION**  
October 17, 1986

PUBLISHED BY THE DIRECTOR OF REVISOR OF STATUTES IN  
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 163-A, SUBSECTION 4.

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J.S. McCarthy Co., Inc.  
Augusta, Maine

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED AT THE  
SECOND REGULAR SESSION  
of the  
ONE HUNDRED AND TWELFTH LEGISLATURE  
1985

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1986-87

## Capital Expenditures

5,000

The 7 positions authorized in this allocation for the Department of the Attorney General are 4 attorneys, one legal secretary and 2 professional investigators. These positions will be used by and paid for by the licensing boards and commissions within and affiliated with the Department of Professional and Financial Regulation. The Attorney General's Office shall bill affiliated boards and commissions on an hourly basis for the services of attorneys and investigators used to serve the boards and commissions.

Total

\$185,000

Effective July 16, 1986.

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**CHAPTER 749**

S.P. 957 - L.D. 1921

AN ACT Relating to Staff Retention in  
Community-based Residential Facilities  
for Persons with Mental Retardation.

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

Sec. 1. 22 MRSA §3186, as enacted by PL 1985, c. 486, §1, is amended by adding at the end a new paragraph to read:

Principles of reimbursement established for intermediate care facilities for the mentally retarded shall assure maximum flexibility enabling facilities to shift variable cost funds within accounts established pursuant to the principles. These principles shall not set any artificial limits on specific variable cost accounts as long as facility totals are met.

Sec. 2. Advisory Committee on Staff Retention. The Advisory Committee on Staff Retention is established.

1. Members. The committee shall consist of 7 members as follows: One member of the Senate to be appointed by the President of the Senate; one member of the House of Representatives to be appointed by the Speaker of the House of Representatives; one member representing the private sector with experience in personnel recruitment and retention to be appointed jointly by the President of the Senate and the Speaker of the House of Representatives; 3 members representing community-based facilities for persons with mental retardation to be appointed jointly by the President of the Senate and the Speaker of the House of Representatives; and one member representing the Department of Mental Health and Mental Retardation to be appointed by the Commissioner of Mental Health and Mental Retardation. All members of the advisory committee, except for the representative from the Department of Mental Health and Mental Retardation, shall receive per diem for days of attendance at advisory committee meetings at the same rate as legislative per diem and shall be reimbursed for travel and expenses incurred in the performance of their duties, as defined in the Maine Revised Statutes, Title 5, section 12202.

2. Duties. The committee shall review the stability of the work force in community-based facilities for persons with mental retardation, including issues of staff turnover, minimum orientation, training and educational requirements, wage parity with state-run facilities and administrative cost of recruitment, training and retention.

3. Report. The committee shall submit its report, together with any recommendations and legislation in final draft form, to the First Regular Session of the 113th Legislature.

Sec. 3. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1986-87

MENTAL HEALTH AND MENTAL RETARDATION,  
DEPARTMENT OF

|                                       |         |
|---------------------------------------|---------|
| Advisory Committee on Staff Retention |         |
| Personal Services                     | \$1,200 |
| All Other                             | 2,500   |

1986-87

Provides funds for a minimum of 4 meetings of the advisory committee and their related expenses.

DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION

Total

\$3,700

HUMAN SERVICE,  
DEPARTMENT OF

Personal Services

\$53,000

Funds to be used for across-the-board one-time 2% increase in wages and salaries for direct care and related staff of intermediate care facilities for the mentally retarded. Salaries of administrators shall not increase through these funds.

TOTAL APPROPRIATIONS

\$56,700

Effective July 16, 1986.

## CHAPTER 750

H.P. 1703 - L.D. 2398

AN ACT to Provide Funding for the Court  
Mediation Service through Fees.

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

Whereas, the Court Mediation Service is not presently performing divorce and small claims mediations; and

Whereas, the inability of litigants to receive mediation services poses a hardship in many cases; and