

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1984 to June 20, 1985
Chapters 384-End

AND AT THE

FIRST SPECIAL SESSION

November 13, 1985

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

J.S. McCarthy Co., Inc.
Augusta, Maine
1985

RESOLVES
OF THE
STATE OF MAINE
AS PASSED AT THE
FIRST REGULAR SESSION
of the
ONE HUNDRED AND TWELFTH LEGISLATURE
1985

Compensation. Resolved: That the members of the commission shall receive no compensation. Members of the commission representing agencies of State Government shall be reimbursed for all necessary expenses from the budgets of the respective agencies. The 2 employee members representing employee unions or associations shall be reimbursed from the appropriations of the Department of Human Services; and be it further

Employee members' compensation and benefits. Resolved: That for the purpose of this resolve, the 2 employee members of the commission representing state employee unions or associations shall continue to receive their regular wages or salaries for time spent in the work of the commission. The time that the employee representatives spend in the work of the commission shall be deemed part of the regular duties of these employee members and shall accrue for the purposes of fringe benefits, including vacation and sick leave, health and life insurance and retirement; and be it further

Bargaining negotiations. Resolved: That nothing in this resolve may be interpreted to limit or restrict, in any way, any issues or proposals to be included in bargaining negotiations between the State and state employee labor unions and associations; and be it further

Staff. Resolved: That the Department of Human Services, Bureau of Health shall provide staff to the commission to assist the commission in all its work.

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

Effective May 23, 1985.

CHAPTER 24

H.P. 933 - L.D. 1339

Resolve, Relating to the Development of a
Plan for the Provision of Court-ordered
Evaluations for Juveniles.

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

Whereas, The Maine Youth Center is currently the primary agency mandated by the Maine Juvenile Code to perform "Hold for Court" evaluations, which it has accomplished in large part by using volunteers; and

Whereas, the Maine Youth Center is no longer able to utilize a corps of volunteers to perform these "Hold for Court" evaluations, which seriously impairs its ability to fulfill its current obligations to the courts; and

Whereas, information was presented to the Commission to Examine the Availability, Quality and Delivery of Services Provided to Children with Special Needs that the demand for "Hold for Court" evaluations is increasing and is expected to continue to increase; and

Whereas, in many instances juvenile evaluations could be provided more appropriately and less expensively in the juvenile's community; 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

Plan. Resolved: That the Department of Corrections be the lead agency to work with the Office of Court Administrators to develop a plan for providing court-ordered evaluations for juveniles, both at the Maine Youth Center and in the community; and be it further

Provisions of plan. Resolved: That the plan include, but not be limited to:

1. Criteria for determining when secure evaluations at the Maine Youth Center are needed or when evaluations can be performed in the community;

2. How and by whom evaluations should be performed;

3. How and by whom evaluations should be funded;

4. Anticipated level of funding needed;

5. Identification of a requisite component of services;

6. Development of a regional capacity for secure

evaluations which should include efforts being explored by the Juvenile Justice Advisory Group;

7. Training that would be needed by community service providers and a plan to address these training needs; and

8. Development of an evaluation mechanism to monitor implementation of this plan; and be it further

Reports. Resolved: That the Department of Corrections submit a written report addressing the provision of court-ordered evaluations for juveniles to the Joint Standing Committees on Judiciary and Human Resources no later than January 15, 1986; and be it further

Copies of resolve forwarded. Resolved: That suitable copies of this resolve be forwarded to the Joint Standing Committees on Judiciary and Human Resources, the Office of Court Administrators, the Juvenile Justice Advisory Group and the Department of Corrections.

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

Effective June 4, 1985.

CHAPTER 25

H.P. 934 - L.D. 1340

Resolve, Relating to the Development of an
Interdepartmental Medicaid Review
Committee.

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

Whereas, in the past, little attention has been given to studying the expansion of Medicaid reimbursement in the area of mental health and related services to children and troubled youth; and

Whereas, there has been a substantial increase in