

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND FOURTEENTH LEGISLATURE
FIRST REGULAR SESSION

December 7, 1988 to July 1, 1989

Chapters 1 - 502

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
SEPTEMBER 30, 1989

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

J.S. McCarthy Company
Augusta, Maine
1989

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
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1989

a claimant's personal representative or attorney shall file a written notice containing:

- A. The name and address of the claimant, and the name and address of his the claimant's attorney or other representative, if any;
- B. A concise statement of the basis of the claim, including the date, time, place and circumstances of the act, omission or occurrence complained of;
- C. The name and address of any governmental employee involved, if known;
- D. A concise statement of the nature and extent of the injury claimed to have been suffered; and
- E. A statement of the amount of monetary damages claimed.

See title page for effective date.

CHAPTER 328

H.P. 1082 - L.D. 1504

An Act to Continue Habilitation and Vocational Rehabilitation Services to Eligible Clients

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

Whereas, under current law eligibility for certain habilitation and vocational rehabilitation services ends when the client reaches age 26; and

Whereas, this legislation must be effective sooner than 90 days after the end of the legislative session in order to avoid interruption of important services to clients who will become 26 before that time; 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:

34-B MRSA §5609, sub-§1, ¶C is enacted to read:

C. All clients served under this program prior to their 26th birthday shall be allowed to continue to receive services through the voucher system established by subsection 2.

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

Effective June 16, 1989.

CHAPTER 329

S.P. 520 - L.D. 1427

An Act to Combine and Coordinate Services to Maine's Elderly with Services to Other Adults in a Single Bureau of the Department of Human Services

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

Sec. 1. 22 MRSA §1, 3rd ¶, as amended by PL 1985, c. 785, Pt. B, §82, is further amended to read:

The commissioner may employ any bureau and division heads, deputies, assistants and employees who may be necessary to carry out the work of the department. All personnel of the department shall be under the immediate supervision, direction and control of the commissioner. These personnel shall be employed subject to the Civil Service Law, except the: Deputy Commissioner; Director, Bureau of Social Services; Director, Bureau of ~~Maine's Elderly~~ Elder and Adult Services; Director, Bureau of Health; Director, Bureau of Rehabilitation; Director, Bureau of Income Maintenance; Director, State Health Planning and Development Agency; Director, Bureau of Medical Services; and Assistant Deputy Commissioners.

Sec. 2. 22 MRSA §1, 4th ¶, as repealed and replaced by PL 1977, c. 674, §19, is amended to read:

The Director, Bureau of Resource Development and the Director, Bureau of ~~Maine's Elderly~~ Elder and Adult Services, shall be appointed by the commissioner, after consultation with the Maine Committee on Aging and the Maine Human Services Council. Each of these directors shall be appointed and serve in the unclassified service at the pleasure of the commissioner. Any vacancy in each of these positions shall be filled by appointment as in this paragraph for a like term.

Sec. 3. 22 MRSA §3472, sub-§2-A is enacted to read:

2-A. Bureau. "Bureau" means the Bureau of Elder and Adult Services of the Department of Human Services.

Sec. 4. 22 MRSA §3472, sub-§§4 and 5, as amended by PL 1981, c. 527, §2, are amended to read:

4. Commissioner. "Commissioner" means the Commissioner of Human Services or ~~his~~ a designated representative in the geographical area in which the person resides or is present or, in the case of mentally retarded adults, the Commissioner of Mental Health and Mental Retardation or ~~his~~ a designated representative in the geographical area in which the person resides or is present.

5. Department. "Department" means either the Department of Human Services ~~and~~ through its Bureau of Elder and Adult Services or, in the case of mentally retarded