

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

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

August 21, 1989 to August 22, 1989

and

SECOND REGULAR SESSION

January 3, 1990 to April 14, 1990

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
July 14, 1990

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
1990

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION

of the
ONE HUNDRED AND FOURTEENTH LEGISLATURE

January 3, 1990 to April 14, 1990

expenditures of the commission on November 15, 1991, and November 15, 1992.

Sec. B-7. Funding. The commission is authorized to seek and accept outside sources of funding to finance the study provided in this Part. The Administrative Office of the Courts shall administer any outside funds acquired for the conduct of the study. Expenditures may not be incurred that have an impact on the General Fund. Expenditures may not be incurred relative to this study unless the funding from outside sources has been received by the Administrative Office of the Courts.

Sec. B-8. Commencement and continuation of commission. The commencement and continuation of the commission through November 15, 1992, are contingent on the commission's successful solicitation of funds from sources other than the General Fund. The chair is authorized to solicit and receive funds on behalf of the commission before its first meeting.

See title page for effective date.

CHAPTER 892

H.P. 1396 - L.D. 1926

An Act to Create a Statewide Coordination Office for Suspected Child Abuse and Neglect Teams

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

Sec. 1. 5 MRSA §12004-I, sub-§36-A is enacted to read:

<u>36-A. Human Services</u>	<u>Maine Suspected Child Abuse and Neglect Council</u>	<u>Expenses Only</u>	<u>22 MRSA §4094</u>
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Sec. 2. 22 MRSA §4092, sub-§1-A is enacted to read:

1-A. Council. "Council" means the Maine Suspected Child Abuse and Neglect Council as authorized by section 4094.

Sec. 3. 22 MRSA §4094 is enacted to read:

§4094. Maine Suspected Child Abuse and Neglect Council

1. Council established. Pursuant to Title 5, section 12004-I, subsection 36-A, the Maine Suspected Child Abuse and Neglect Council is established to coordinate a statewide program for the identification and management of suspected child abuse and neglect cases through hospital-based committees that are authorized in this subchapter. The council is a body politic and a public instrumentality of the State.

2. Membership. The council shall be composed of 2 representatives from each of the hospital-based suspected child abuse and neglect committees in the State. Each hospital-based committee shall designate its 2 representatives who shall serve on the council at the pleasure of that committee.

3. Rule-making authority. The council may adopt rules in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, to carry out its responsibilities.

4. Meetings. The council shall meet at least once a year. Special meetings shall be held as determined necessary by the council. The minutes of all proceedings of the council shall be a public record available and on file in the office of the council. Members of the council shall be compensated according to Title 5, chapter 379.

5. Financing. The council may accept contributions of any type from any source other than the General Fund to assist in carrying out its responsibilities and to make arrangements regarding the administration of these funds, if required as a condition precedent to the receipt of these funds, by the Federal Government or any other source.

6. Executive director; staff. The council may employ an executive director who shall be the principal administrative and executive employee of the council. The executive director may hire staff to carry out the responsibilities for the coordination of all affairs of the council including, but not limited to, the training and education of volunteers, health care professionals and the general public. The executive director is also responsible for advocacy on behalf of hospital-based suspected child abuse and neglect committees throughout the State. The executive director may obtain office space, goods and services as required to carry out these responsibilities.

7. Funding. Funding for implementation of this Act must come from any source except the General Fund and expenses shall only be authorized in the amount of funds that have been received by the council.

See title page for effective date.

CHAPTER 893

S.P. 769 - L.D. 1994

An Act to Provide for a Job Development Training Funding Capability within the Resources of the State Contingent Account

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

Whereas, it is necessary to provide support for state efforts to create jobs by assisting in meeting the

training needs of labor-intensive new or expanding industries; and

Whereas, it is necessary to provide an immediate response to sudden decreases in employment, particularly in areas where the economy is based primarily on a sole source; and

Whereas, a major employer in the northern Penobscot region has announced the termination of 200 jobs in the fall of 1989 and winter of 1990; and

Whereas, the increase in unemployment will create a serious hardship for many citizens of the Penobscot and Piscataquis areas; and

Whereas, assistance is required due to this unusual, unforeseen and extraordinary need; 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:

5 MRSA §1507, sub-§5-A, as amended by PL 1989, c. 443, §9, is further amended to read:

5-A. Job development training. The Governor may allocate funds from such account in amounts not to exceed in total the sum of \$1,000,000 to provide funds for any unusual, unforeseen or extraordinary needs for state assistance in creating jobs by assisting in meeting the training requirements of ~~labor-intensive~~ labor-intensive new or expanding industries. In fiscal year 1989-90 \$75,000 of this amount may also be allocated for immediate job training, unemployment counseling, retraining and other assistance to displaced workers. In fiscal year 1989-90, an additional \$75,000 of this amount may also be allocated for immediate job training, unemployment counseling, retraining and other assistance to displaced workers in the mid-coast area of the State. Allocations for this purpose may be made from this fund by the Governor only upon the written request of the Commissioner of Labor and the Commissioner of Economic and Community Development and after consultation with the State Budget Officer. The commissioners' request to the Governor shall be formulated subsequent to their consultation with the Commissioner of Educational and Cultural Services, the Executive Director of the Maine Technical College System and the director of the appropriate service delivery area as defined by the Job Training Partnership Act.

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

Effective April 24, 1990.

CHAPTER 894

S.P. 701 - L.D. 1839

An Act Related to the Systems Assessment Commission

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

Whereas, the Systems Assessment Commission is required to issue its final report by April 1, 1990; and

Whereas, information necessary for the commission to complete its work will not be available until July 1, 1990; and

Whereas, the commission cannot meet the April 1, 1990 deadline; 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:

Sec. 1. PL 1989, c. 501, Pt. BB, §8, ¶G is amended to read:

G. The commission has the following duties.

(1) The commission, with the assistance of the Department of Mental Health and Mental Retardation, the Superintendent of the Augusta Mental Health Institute, the Superintendent of the Bangor Mental Health Institute and any other agency or department of State Government, shall develop a long-range plan for the Augusta Mental Health Institute and the Bangor Mental Health Institute. The plan shall include consideration of the creation of a smaller acute care facility or facilities to take the place of the current facilities and any other option for humane, safe and cost-effective delivery of services to Maine's mentally ill citizens. Following the development of a long-range plan for the Augusta Mental Health Institute, the commission shall develop a plan for the Bangor Mental Health Institute. Any plans developed shall also include an assessment of the need for and delivery of community services, including consideration of the drafting of model legislation governing the delivery of mental health services statewide. The commission shall coordinate with the Bureau of Public Improvements, the State