

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

SECOND SPECIAL SESSION

December 12, 1991 to January 7, 1992

SECOND REGULAR SESSION

January 8, 1992 to March 31, 1992

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 30, 1992

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
1992

RESOLVES
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION

of the
ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

Whereas, pursuant to Resolve 1991, chapter 50, a report was to be presented by November 1, 1991 with proposed legislation; and

Whereas, more time is required to develop properly a thorough public record and production of a comprehensive energy plan; 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

Sec. 1. Resolve 1991, chapter 50, amended. Resolved: That Resolve 1991, Chapter 50, section 8 is amended to read:

Sec. 8. Report. Resolved: That the commission shall submit its report, which must be approved by 2/3 of the commission members, together with any necessary implementing legislation, to the Second Regular Session of the 115th Legislature and to the Joint Standing Committee on Utilities no later than ~~November 1, 1991~~ March 15, 1992.

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

Effective February 25, 1992.

CHAPTER 58

S.P. 815 - L.D. 2014

Resolve, to Direct the Department of Mental Health and Mental Retardation to Develop a Proposal to Improve Staff Retention in Community-based Programs Serving Persons with Mental Retardation

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 stability of the work force in community-based programs providing services to persons with mental retardation is critical to effectiveness of those programs in enabling those persons to maintain themselves in the community; and

Whereas, funding has been appropriated to improve staff retention in intermediate care facilities serving persons with mental retardation; and

Whereas, the wage scales in other community-based programs providing services to persons with men-

tal retardation are substantially lower than those in both intermediate care facilities and State Government for the same or equivalent jobs; and

Whereas, a serious staff retention problem therefore exists in many community-based programs providing services to persons with mental retardation, including day programs, supported employment programs, foster homes, boarding homes and supported living programs; and

Whereas, there is a need for immediate action to assess the nature and scope of these problems and to develop plans to address them; 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

Department of Mental Health and Mental Retardation duties. Resolved: That the Department of Mental Health and Mental Retardation shall:

1. No later than October 1, 1992 develop a proposal to establish wage parity between community-based programs providing services to persons with mental retardation and state-run facilities and to implement any other measures necessary to improve staff retention and ensure the stability of state-funded community-based programs;

2. Report its recommendations to the joint standing committee of the Legislature having jurisdiction over human resource matters and the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs no later than January 15, 1993; and

3. Consult with community-based programs in all phases of this process.

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

Effective March 23, 1992.

CHAPTER 59

H.P. 1696 - L.D. 2376

Resolve, to Establish a Blue Ribbon Commission to Examine Alternatives to the Workers' Compensation System and to Make Recommendations Concerning Replacement of the Present System